[Shri J. P. Javali]

going wrong, lands the unit in trouble. Therefore, this Bank should take this aspect into consideration and take measures to see that these units do not end up in sickness.

I hope this Bank will not merely be a Bank of moneylender but this is going to be a Bank which is going to take up promotional and developmental activities in the case of the small-scale industries. As I said earlier, you should see that the small-scale industries, the tiny industries and the cottage industries are spread all over the country. I would like to say that the small scale sector has played and has got to play a very vital and important role. So, the Government should come out with all assistance and help and see that every year a large number of new units come up. They will also find a solution for unemployment problem.

Shri M. Visvesaraya, the great statesman and engineer, had given a call, "Industrialise or perish", but we can add to this, "'Industrialise and flourish".

THE VICE-CHAIRMAN (SHRI MIRZA IRSHADBAIG): Now the House stands adjourned for lunch till 2.30 P.M.

The House then adjourned for lunch at thirty-one minutes past one of the clock.

The House reassembled after lunch at thirty one minutes past two of the clock. **The Deputy Chairman** in the Chair.

THE DEPUTY CHAIRMAN: The Home Minister.

STATEMENT BY MINISTER

Regarding 4th, 5th, 6th interim reports and final report of Kudal Commission of inquiry on affairs of Gandhi peace foundation and connected organisations.

THE MINISTER OF HOME AFFAIRS (SHRI BUTA SINGH): Madam, the Lok Sabha passed a Resolution on 28th August, 1981, recommending that any action to tarnish the name of Mahatma Gandhi be taken serious note of and that the acts and activities including publications, sources and misuse of funds of the Gandhi Peace Foundation, Gandhi Smarak Nidhi and All India Sarva Seva Sangh be inquired into by a Commission of Inquiry. A Commission headed by Mr. Justice P. D. Kudal was accordingly set up on 17th February, 1982 under the Commission of Inquiry Act, 1952.

The Commission was required to complete its inquiries and report to the Central Government within a period of six months. The work however took much longer than anticipated and the life of the Commission was extended from time to time till 31st January, 1987 when its tasks were completed.

The Commission submitted Six Interim Reports and a Final Report. The 1st, 2nd and 3rd Interim Reports of the Commission alongwith a Memorandum of Action Taken on each report have already been placed on the Table of the Lok Sabha on 4th December, 1985 and 7th May, 1986 respectively. The 4th, 5th, 6th Interim Report and Final Report of the Commission alongwith Memorandum of Action Taken were placed on the Table of the House yesterday.

4TH INTERIM REPORT

The 4th Interim Report of the Kudal Commission was submitted to the Government on 16th December, 1985. This report covered 25 cases. Out of

the 25 cases, 12 cases are non-actionable and 13 cases are actionable. The four main organisations involved in the cases looked into by the Commission are Gandhi Peace Foundation, AVARD, Gandhi Smarak Nidhi and All India Sarva Seva Sangh. The total sum involved in this report is approximately Rs. 1.35 crores...

SHRI KAMAL MORARKA (Rajasthan): Rs. 1 crore!

SHRI BUTA SINGH: For you one crore is nothing because it is poor man's money.

DR. BAPU KALDATE (Maharashtra): For you 64 crores is nothing.

SHRI BUTA SINGH:...plus US $ 2,50,000. The amount involved in the cases which have been dropped is approximately Rs. 10.38 lakhs. The money involved in the actionable cases is approximately Rs. 1.26 crores. The prominent individuals against whom the Commission has given its findings are: Shri L. C. Jain, former Chairman, All India Handicrafts Board and Shri George Fernandes, the then Minister of Industry. One of the organisations being investigated by the Commission, the Kerala Gandhi Smarak Nidhi, obtained stay orders from the Kerala High Court against further action in the matter. The stay was vaacted on 4th August, 1987. It is only subsequently that the consultation with other Ministries was done and assessment of the action to be taken was made.

5TH INTERIM REPORT

The 5th Interim Report of the Commission was submitted to the Government on 11th June, 1986. The Commission gave its findings in 29 cases in this report. Out of 29 cases, 20 cases are found non-actionable and are therefore recommended to be dropped. Nine cases are actionable. The total sum involved in this report is approximately Rs. 21.70 lakhs. The amount involved in the non-actionable cases is approximately Rs. 12.91 lakhs. The actionable cases involved an amount approximately of Rs. 8.79 lakhs. The four major organisations involved in the cases are Gandhi Peace Foundation, AVARD, Gandhi Smarak Nidhi and All India Sarva Seva Sangh. The prominent individuals against whom the Commission has given its findings are:—

Shri Dhanik Lal Mandal, Chairman, Madhubani Zila Samagra Vikas Sansthan and Former Minister of State in the Ministry of Home Affairs;

Dr. Razia Ahmad, Secretary, Gandhi Smarak Sangrahalaya Samiti;

S/Shri Sadiq Ali, Chairman & Holding Trustee;

Som Dutt Vedalankar, Holding Trustee;

R. R. Diwakar, Holding Trustee;

K. S. Radhakrishna, Treasurer;

B. R. Nanda, Member, Governing Body;

M. V. Desai, Member, Governing Body;

Dr. Usha Mehta, Member, Governing Body;

Dr. Bimal Prasad, Member, Governing Body;

Devi Prasad, Member, Governing Body.

6TH INTERIM REPORT

The 6th Interim Report of the Commission was submitted to the Government on 30th October, 1980. The Commission gave its findings in 33 cases. Out of 33 cases, 13 cases are found non-actionable and therefore recommended to be dropped. Twenty cases are actionable. The total amount of funds involved in the cases covered by this Report is approximately Rs. 5.33 crores.

SHRI JAGESH DESAI (Maharashtra): Bapu, it is more than Rs. 5 crores ... (*Interruptions*) ... Don't defend this.

DR. BAPU KALDATE: It is political vendetta after the Emergency. ...(*Interruptions*)...

SHRI JAGESH DESAI: At leasts, I don't expect you to defend this. ...(*Interruptions*)...

DR. BAPU KALDATE: We are ready for a full debate. ...(*Interruptions*)...

THE DEPUTY CHAIRMAN: Honourable Members, I would requests both sides—the Minister is on his legs and he is reading out a statement—not to interrupt him. While discussing it you can discuss anything.

AN HONOURABLE MEMBER: You request the Minister. ...(*Interruptions*)...

THE DEPUTY CHAIRMAN: I am requesting everybody. ...(*Interruptions*)...

DR. BAPU KALDATE: I am ready for it. ....(*Interruptions*).....

THE DEPUTY CHAIRMAN: Please, it applies to you also. It applies to everybody, right, front, left and centre—everyone. Please sit down.

SHRI V. GOPALSAMY: (Tamil Nadu): The limpet Minister is making a statement.

SHRI BUTA SINGH: The amount involved in non-actionable cases is approximately Rs. 38.60 lakhs. The actionable cases involved an amount of Rs. 5.14 crores approximately. The major organisations involved in the cases covered by this Report are Gandhi Peace Foundation, AVARD, Gandhi Smarak Nidhi and All India Sarva Seva Sangh. The notable individuals against whom the Commission has given its findings are as below:—

Shri K. S. Radhakrishna, Secretary, Gandhi Peace Foundation;

Shri B. G. Verghese (Ex-Editor, Indian Express);

Shri A. C. Sen, Vice-President, AVARD;

Shri Prakash Singh Badal, President, PADI and Ex-Minister of Agriculture.

FINAL REPORT

The Final Report of the Commission covering 29 cases was submitted to the Government on 29th January 1987. Out of 29 cases, 13 cases are recommended to be dropped and 16 cases are found actionable. The total sum involved in this report is approximately Rs. 1.90 crores. The amount involved in the *non-actionable* cases is Rs. 61.67 lakhs. The amount involved in the actionable cases is Rs. 1.29 crores. The Commission had also made general suggestions/observations contained in Chapter VI regarding the functioning of the voluntary agencies and the remedial action to be taken. The remedial actions to be taken have been referred to the Ministry of Law and Justice for advice/comments. The prominent individual against whom the Commission has given its finding in this Report is Shri K. S. Radhakrishna.

It will be seen from the reports that the Commission has indicted four organisations time and again for major financial misconduct and irregularities. These are Gandhi Peace Foundation, AVARD, Gandhi Smarak Nidhi and All India Sarva Seva Sang. All these organisations which were public institutions to serve society in the best Gandhian tradition became instruments for self-serving individuals for political and financial advantage, working quite often against national interest. The

'Akhil Bharatiya Sarva Seva Sangh' became the fountainhead of three major organisations namely, (i) Gandhi Smarak Nidhi (GSN), (ii) Association of Voluntary Agencies for Rural Development (AVARD) and, and, (iii) Gandhi Peace Foundation (GPF). The word 'All India' was subsequently dropped during 1949 and it assumed the shortened name of Sarva Seva Sangh. Its base of operation is at Sevagram in Maharashtra.

THE DEPUTY CHAIRMAN: Now I have a number of names for clarification. I would request the hon. Members to confine themselves to asking for clarifications and not make lengthy speeches.

THE MINISTER OF STATE OF THE MINISTRY OF WATER RESOURCES AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTRY AFFAIRS (SHRI M. M. JACOB): Madam, I ask one clarification.

THE DEPUTY CHAIRMAN: Have you given your name?

SHRI M. M. JACOB: Dr. Bapu Kaldate has mentioned that he is ready for a full debate, and he wants a debate. I think, the Government also is ready for a debate subsequently. Now we can have clarifications. (*Interruptions*) I am saying, "after the clarifications."

THE DEPUTY CHAIRMAN: Hon. Members, either we have clarifications or we have a debate. We cannot have both.

DR. BAPU KALDATE: Now we will have clarifications and then a debate. How can you do that, that he can make a statement and we keep quite?

SHRI BUTA SINGH: Madam, I do not know the motives behind what Dr. Bapu Kaldate has said. But let me remind him one thing. Let him not fall in the habit of the Opposition leaders. Having invited a discussion, he should not run away now. I am willing. The Government is ready to have a full discussion.

DR. BAPU KALDATE: I am ready for it, but after the clarifications, not before.

SHRI BUTA SINGH: We will have a full discussion on each volume of this Report. We are ready.

DR. BAPU KALDATE: We are not at all running away. I don't want you to run away.

SHRI K. V. THANGKABALU (Tamil Nadu): So many times you have run away.

THE DEPUTY CHAIRMAN: You see, Dr. Bapu Kaldate has said that he wants clarifications, and some Members feel that there should be a debate because the majority wants a debate. Now this House is not....

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): How can you decide that? Let the BAC decide it.

THE DEPUTY CHAIRMAN: I am asking. Have patience, please.

SHRI PARVATHANENI UPENDRA: Sardarji is very prompt. In these things they are very prompt.

THE DEPUTY CHAIRMAN: Nobody is prompt. I think, you are very prompt in just getting up without permission. I have not finished my words. I want to say, if you want to ask for only clarifications, then, please be brief.

SHRI PARVATHANENI UPENDRA: Only clarifications now.

SHRI SUBRAMANIAN SWAMY (Uttar Pradesh): Madam Chairman...

SHRI V. GOPALSAMY: Madam Deputy Chairman.

SHRI SUBRAMANIAN SWAMY: Madam Deputy Chairman, I hope to see you as Chairman one of these days.

THE DEPUTY CHAIRMAN: If wishes were horses, you would be sitting on them all the time.

SHRI SUBRAMANIAN SWAMY: Oh, yes.

SHRI PARVATHANENI UPENDRA: He wants to occupy your Chair.

SHRI SUBRAMANIAN SWAMY: Corruption is to be condemned wherever it is. There is no such thing as the Congress (I) corruption and the Janata Dal corruption. Corruption is corruption. If it is exposed, it is for the good of the country. Indeed, we are now seeing a global phenomenon of exposure of corruption in many countries, particularly in democratic countries. We just witnessed what happened in Japan. So, to that extent, if there is a commission of inquiry and a commission's report comes out, I would say even if it is set up by the ruling party, it is an opportunity for everyone to vindicate oneself by a debate here. I, therefore, welcome this opportunity for a fullfledged discussion on the Kudal Commission's Report. The total amount, if you add up, really works out to almost Rs. 100 crores, which has been siphoned or allegedly siphoned or found to be siphoned. I have been saying one thing to many of my colleagues in the Janta Dal. Many of them are very honest people and they have a long record of public service, but unfortunately they are being today led by corrupt people. Therefore, they are at a great disadvantage. So, I would say that they should also welcome this rather than look at the motives behind the setting up of the commission. After all when the Janata Party was in power, we also set up commissions and we also had reports. So, when the Congress (I) came to power, they have also set up commissions. And in the next elections when the Congress (I) goes out of power, there will be more commissions. That can be expected.

AN HON. MEMBER: You can dream about it. It is wishful thinking.

SHRI SUBRAMANIAN SWAMY: Occasionally I should speak on their behalf also.

DR. BAPU KALDATE: That shows you are on that side.

SHRI SUBRAMANIAN SWAMY: I am only interested in knowing the truth. And sometimes the truth becomes bitter. When they produced a value-based politician, who became suddenly overnight a national alternative by spending Rs. 35 crores of the Karnataka exchequer money and when I exposed him to be nothing but a person with feet of clay, they were naturally angry with me. I can understand that.

SHRI MOHINDER SINGH LATHER (Haryana): It would be better if the hon. Member sticks to clarifications.

SHRI SUBRAMANIAN SWAMY: I have not said a word about Devi Lal. I will do that some day. And he has already got excited.

SHRI MOHINDER SINGH LATHER: Does it mean that only you have the licence and nobody in the House has a licence?

SHRI SUBRAMANIAN SWAMY: We will discuss Devi Lal also during one of these days. (*Interruptions*) It is not a small matter. Rs. 100 crores are involved and the House needs to know through a debate if in the name of Gandhi this has been channelised.

SHRI BUTA SINGH: Only Rs. 100 crores.

SHRI SUBRAMANIAN SWAMY: Yes, only Rs 100 crores. This House needs to debate this fully. I would

like to know from the Minister whether he has got any explanation as to why it took so long for the commission to finalise its conclusions. It was originally given six months' time and it has taken eight years. I am concerned with it because there is now a commission of inquiry against Mr. Ramakrishna Hegde and that commission has been given three months. So, by that definition it means it will take four years. (*Interruptions*) What is a political gimmick? Mr. Ramakrishna Hegde welcomed the commission of inquiry.

SHRI BUTA SINGH: Excuse me, Madam, Mr. Subramanian Swamy is raising a question why this commission has delayed in completing its work. As I mentioned in my statement itself, these was a stay order by the Kerala High Court. Recently you must have seen yourself that in the commission that has been appointed by Karnataka, there are, not one, but a bundle of petitions against the commission. Naturally the time taken by the courts to sort out those things will further delay the inquiry to be started by the commission. Therefore, these are the very facts that the person who welcomed the appointment of a commission headed by the Supreme Court is now instigating his own party people to put all kinds of spokes and petitions are being filed in the court.

DR. BAPU KALDATE: While you are asking us to stick only to clarifications, he should also stick to what he has to say on the Kudal Commission. What business has he to talk about the other commission? He has to talk about Kudal only and no other commission. Why do you allow all these things?

THE DEPUTY CHAIRMAN: Don't get agitated. He is talking about Kudal; I will request the Member to confine himself to Kudal only.

DR. BAPU KALDATE: I want to know if he has talked about Kudal. (*Interruptions*) Has he talked Kudal Commission's report?

SHRI PARVATHANENI UPENDRA: Madam, you don't object when they speak.

THE DEPUTY CHAIRMAN: I was writing the names of you people. That is why I did not hear what he has said... (*Interruptions*)..

DR. BAPU KALDATE: Madam, I am on a point of order. उपसभापति महोदय, आपने खुद कहा .. (व्यवधान) ..

THE MINISTER OF STATE IN THE MINISTRY OF TEXTILES (KUMARI SAROJ KHAPARDE): Bapu , you used to keep quiet in the House; now what is wrong with you?

DR. BAPU KALDATE: Because you are here and therefore, I am feeling that I must react.

उपसभापति महोदया, आपने खुद कहा था कि इसकी चर्चा कुदाल कमीशन तक सीमित रहेगी लेकिन यह कुछ इनकी आदत है, हम जानते हैं ... (व्यवधान) ...

SHRI SUBRAMANIAN SWAMY: I will explain how it is relevant.

डा० बापू कालदाते: [illegible]

THE DEPUTY CHAIRMAN: Let him finish his point of order... (*Interruption*)...

डा० बापू कालदाते: आपने खुद कहा कि इस के दायरे में सीमित चर्चा होगी । उन्होंने उस दायरे के बाहर का सवाल उठाया । हमने उसी समय कहा था कि यह दायरे के बाहर जा रहे हैं आपने कुछ कहा नहीं । यह रिकार्ड में आ गया । अब वे कहने लगे हैं जो कुदाल कमीशन से सम्बंधित नहीं है । तो मैं यह कहना चाहता हूं कि अगर आप ऐसी इजाजत देती रहीं ।

उपसभापति: हम नहीं दे रहे हैं ।

डा० बापू कालदाते: तो यह ठीक नहीं रहेगा । हम यह कहते हैं कि अगर आपने यह निर्णय दिया कि इस दायरे तक सीमित रहना चाहिए, तो उसके बाहर कोई भी न बोले और अगर कोई बोले तो उसे रोकें । आप रोक नहीं रही हैं, यह मेरा सवाल है ।

THE DEPUTY CHAIRMAN: I request the Member anything which is going beyond the Kudal Commission will not become part of the record. Please don't speak anything beyond Kudal Commission.

SHRI ARANGIL SREEDHARAN (Kerala): I am on a point of order.

SHRI SUBRAMANIAN SWAMY: I asked a very legitimate question..

THE DEPUTY CHAIRMAN: He is on a point of order.

SHRI ARANGIL SREEDHARAN: In your wisdom you have given a direction saying that the Member should confine to the Kudal Commission's report. Now, the Home Minister's remarks also should be expunged because it has nothing to do with this Commission. I never expected that the Home Minister would become irresponsible. He said: "There are a bundle of petitions". ... (*Interruptions*) ...

THE DEPUTY CHAIRMAN: Honourable Members, please take your seats. Let us have serious discussion. You people want to seek clarifications but ... (*Interruptions*) ... I request Mr. Subramanian Swamy to confine to the Kudal Commission.

SHRI JAGESH DESAI: Madam, today, let us have clarifications. As Bapu said earlier there should be some full-fledged discussion on that.

SHRI P. N. SUKUL (Uttar Pradesh): I have already given a notice.

THE DEPUTY CHAIRMAN: That is agreed. The Government will take a decision.

SHRI SUBRAMANIAN SWAMY: Let me make a point before I proceed. You cannot arbitrarily expunge things which are not unparliamentary. I think, this practice must end where the Chair goes on expunging anything and everything which the Chair considers irrelevant.

THE DEPUTY CHAIRMAN: Now, don't disturb. You should talk about the Kudal Commission.

SHRI SUBRAMANIAN SWAMY: Only those words which are unparliamentary, you can expunge and what I asked was perfectly relevant. Here only six months was given and eight years have been taken.

SHRI BUTA SINGH: It is perfectly relevant.

SHRI SUBRAMANIAN SWAMY: I asked whether htis is going to be the fate of all Commissions. In that context I said whether the Commission against Mr. Ramakrishna Hegde... (*Interruptions*) ...

THE DEPUTY CHAIRMAN: You talk about Kudal Commission.

SHRI SUBRAMANIAN SWAMY: He said: "Perfectly relevant" and I am thankful to the Home Minister for clarifying that but for obstructionist activities from Mr. Hegde's side, this Commission would have gone speedily. I accept that.

SHRI K. G. MAHESWARAPPA (Karnataka): The Home Miniter says: "There are a bundle of petitions". But there are one or two petitions.

THE DEPUTY CHAIRMAN: Now, let us go to the matter.

AN HON. MEMBER: There are a bundle of cases here, at the Central level.

SHRI BUTA SINGH: I said a bundle of petitions have been filed in the court and I stand by that.

THE DEPUTY CHAIRMAN: Mr. Subramanian Swamy, please confine yourself to the Kudal Commission.

SHRI SUBRAMANIAN SWAMY: I have confined. I said six months was given but eight years have been taken.

SHRI K. G. MAHESWARAPPA: I do not know why Mr. Hegde is haunting him always and even the Home Minister and the Central Government. Why are they so much afraid...*(Interruptions)*...

SHRI SUBRAMANIAN SWAMY: I only asked, why they took so long and in that context, I have asked whether in future....*(Interruptions)*... They are the ones who are getting excited. (Interruptions).. All those Janata Dal members who are honest will not interrupt me. Only those who have something to hide will interrupt me. ...*(Interruptions)*...

SHRI KAMAL MORARKA: Since I do not need your certificate of honesty, I interrupt you.

SHRI SUBRAMANIAN SWAMY: I know about you ...*(Interruptions)*... You please restrain the CPI(M) Members from picking up their chappals. *(Interruptions)*... Now, I might say something outrageous and then the Chair might say, "it was said without my knowledge". ...*(Interruptions)*... Madam, can I carry on? ...*(Interruptions)*... No, no. I am trying to draw your attention.

THE DEPUTY CHAIRMAN: My attention is already with you. I can hear what you are speaking.

SHRI SUBRAMANIAN SWAMY: Okay. One more clarification. I would like an assurance from the Minister that the enthusiasm and the speed with which he brought the report and agreed to make a statement, he will show the same enthusiasm in other charges. For example, the one I have made about his former Cabinet colleague. I have given to the President of India, five charges against Mr. V. P. Singh, his former colleague... *(Interruptions)*...Mr. V. P. Singh is his former Cabinet colleague. I want to know whether he would show equal enthusiasm about his former Cabinet colleague in appointing a Commission of Inquiry.

उपसभापति : मालवीय जी, आपको पूछना है। ...**(व्यवधान)**...

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश) सिर्फ राय देना है। ...**(व्यवधान)**...

उपसभापति : आप अपना सवाल पूछिए। ...**(व्यवधान)**...

श्री सत्य प्रकाश मालवीय : 28 अगस्त, 1981 को लोक सभा का प्रस्ताव हुआ था और जो अंतिम रिपोर्ट है 29 जनवरी, 1989 को सरकार के पास भेज दी गई थी। एक तो मैं इस ओर सरकार का ध्यान आकर्षित करना चाहता हूं कि 7 साल लग गए इस रिपोर्ट को आने में और कम से कम 7 बार जस्टिस कुदाल जी ने सरकार से समय मांगा अपनी रिपोर्ट को प्रस्तुत करने के लिए। एक तो मैं यह जानना चाहता हूं कि कुदाल आयोग के सामने क्या-क्या दिक्कतें आईं, क्या-क्या कठिनाइयां आईं? क्या सरकार कुदाल आयोग को कागज नहीं उपलब्ध करा रहीं थी ठीक उसी तरीके से जिस तरीके से कम्ट्रोलर एण्ड आडिटर जनरल को कागज नहीं उपलब्ध कराया गया था? क्योंकि उसकी रिपोर्ट में कहा गया था कि दो साल तक वह कागज मांगते रहे मंत्रालय से और कागज उनको उपलब्ध नहीं कराया गया। एक तो मेरा प्रश्न यह है कि 7 साल तक रिपोर्ट में डिले क्यों हुई और बार-बार, 6 या 7 बार उसका समय क्यों बढ़ाया गया?

दूसरा, अभी गृह मंत्री जी ने यह कहा कि केरल हाई कोर्ट ने स्टे दे रखा था लेकिन रिपोर्ट जो थी, सरकार के पास 29 जनवरी, 1987 को आ गई

[श्री सत्य प्रकाश मालवीय]

की । तो उसे इतनी देर से प्रस्तुत करने का क्या कारण है ?

और तीसरे, मैं अपने सहयोगी डा० बापू कालदाते जी की इस मांग का समर्थन करता हूं कि इस मामले में इस सत्र में पूरी डिबेट होनी चाहिए जिससे कि सारी सच्चाई का पता लग सके । सारा सदन और सारा देश सच्चाई को जानने के लिए उत्सुक है और किसी भी व्यक्ति का चरित्र-हनन नहीं होना चाहिए क्योंकि इसमें ऐसे-ऐसे गांधीवादी नेताओं का भी नाम आया है जैसे आर० आर० दिवाकर, कि जिनके बारे में कोई भी शक नहीं कर सकता है । इसलिए जल्दी ही पूरी डिबेट इस मामले में सदन के सामने होनी चाहिए जिससे कि सत्य राष्ट्र के सामने उजागर हो ।

DR. BAPU KALDATE: Madam, this sound is coming directly to us without earphones.

THE DEPUTY CHAIRMAN: I think, there is something wrong with the mike.

SHRI DIPEN GHOSH (West Bengal): Madam Deputy Chairman, the Kudal Commission has given very important report and they have taken much time, more than seven years to disclose certain financial irregularities 3.00 P.M. indulged in by certain voluntary organisations. Some important personalities are also involved in these financial irregularities as reported by the Kudal Commission. Madam Deputy Chairman, it was our apprehension all through that certain voluntary organisations have been receving monies from abroad and indulging in such activities which are not conducive to national interests. Even from our party, we have, times without number, pointed out such activities being indulged in by certain voluntary organisations. We have asked for the total list of such voluntary organisations who have been receiving foreign contributions. But every time we have been denied. Even by Mr. Buta Singh's department we have been told that there are as many as 10,000 voluntary organisations who have been receiving foreign contributions and so they cannot give the names or the details of those organisations. Madam Deputy Chairman, you know that there are regulating laws about the contributions received from abroad by voluntary organisations here. And I wonder how despite the existence of such regulating laws, despite the existence of such departments controlling the foreign contributions, this type of organisations could continue receiving foreign contributions and indulging in such activities which are not conducive to national interests.

Madam, my first clarification to be sought from the Union Home Minister would be this. He has distinguished between non-actionable and actionable cases. He has also sought to distinguish even between the amounts involved in non-actionable and actionable cases. So, what are the actions the Government proposes to take or what are the actions the Government has already taken in respect of actionable cases? And what does the Government propose to do about non-actionable cases? This is the first clarification I seek in respect of all the reports.

Coming to the second clarification, the Commission had also made general suggestions and observations contained in Chapter VI regarding the functioning of the voluntary agencies and the remedial actions to be taken. I would like to know from the Union Home Minister what exactly the suggestions or observations made by the Commission about the functioning of this type of voluntary organisations are and what actions they have already taken or they have proposed to take.

Madam, finally I would like to know the total number of the voluntary or-

ganisations operating in India receiving contributions from foreign countries. What are those organisations? What are the countries from which they are receiving such contributions? And who are the personalities associated with such voluntary organisations and what is their field of operations? Madam, you will appreciate that in today's context, it is not simply this personality or that personality is involved with this voluntary organisation or that voluntary organisation. It is a fact that certain voluntary organisations, whether in the name of Gandhi Peace Foundation or some big names, are operating among tribals, among backward people, are operating in areas where tribals and backward people live, and in the name of running the voluntary organisations they receive contributions from foreign countries. It is not simply a question of their squandering away some Rs. 5 crores or Rs. 10 crores. It is not simply a question of some financial irregularities committed by these organisations in respect of certain monies. The question is what type of activities they are indulging in, what type of activities they are engaging in. The question is among whom they are operating, in which areas, and what the countries from whom they are receiving such contributions. That is why I would like, whether today or tomorrow or the day after while giving a reply to the debate which you have promised to allow, the Home Minister should come up with this information. (*Interruption*) I do not know whether the Home Minister is listening to me or the Minister of State is listening to me. . .

THE DEPUTY CHAIRMAN: The Minister of State is noting down your points.

SHRI DIPEN GHOSH: Parliament must know the names and details of such organisations which are receiving contributions from foreign countries, the people who are associated with these organisations, and what exactly the Government is doing about them. Mr. Buta Singh, the Union Home Minister, has been saying that they are taking action on all these things. But how can these organisations receive foreign contributions and indulge in such activities despite the existence of a law, despite the existence of a department enforcing that law? The Home Ministry also owes an explanation to the House, or for that matter, the Finance Ministry also. We want a detailed reply from the Home Minister about the activities of the voluntary organisations, their names, the persons connected with them, their areas of operation, the type of activities they are engaged in, the countries from which they receive the contributions, and what exactly the Government is doing for enforcing the Foreign Contributions Regulation Act.

PROF. CHANDRESH P. THAKUR (Bihar): Madam, six interim reports and the final report together constitute a valuable document which the House has before it. It relates to very sensitive issues: flow of foreign funds in India and the working of voluntary agencies. This country has a great and rich and respectable tradition of voluntary work and a large number of people have given their lives and their valuable time in promoting certain causes which they cherished through voluntary agencies. Many poor people have benefited from voluntary agencies. There are organisations with resources, national and international, devoted to the promotion of activities beneficial to the poor and downtrodden. But today what we are discussing is not the question of voluntary agencies as such or of general flow of funds, but I must say, as Mr. Dipen Ghosh has pointed out, the final outcome of the action of the Government with regard to these reports will have wider ramifications in future also. How do we conduct our business with regard to the inflow of foreign funds and how do we allow the voluntary agencies to use those funds for the purposes for which

[Prof. Chandren P. Thakur]

they are registered or they get involved in other sensitive work? The clarifications that I am seeking are in four areas: (1) Would the Government consider the possibility that foreign funds channelled through voluntary agencies would not be allowed to be used in sensitive areas where tribal population is involved, where people in border areas are involved and where people are vulnerable as a result of intense poverty in those particular regions? Money is a great seducer. And, Madam, users of money can use it for a variety of reasons and the vulnerable people can respond to those stimuli in unpredictable ways and this will have serious consequences for the national health in the long run.

The second clarification that I am seeking is on what has appeared in the Press reports—it is not there in the Minister's statement—and what has appared in the newspapers is worth quoting and one of the quotable quotes is that "it appears that funds have gone into the hands of undesirable elements and were used for various disruptive and clandestine activities meant to create chaos and destabilization in the country.". I would like to ask a specific clarification. Who are these undesirable elements? Who are the leaders of such people? What kind of disruptive and clandestine activities they were engaged in? There should be a precise exposition of this point. Finally, I want to know what kind of destabilization efforts that they have made and how far they have succeeded, marginally or substantially, in the assessment of the Government.

Now, I agree that respectable names have been referred to. I would like to continue to have respect for them. But some of the agencies which are working here work in the name of the Father of the Nation. It is one of those unfortunate days when, I suspect, the Father of the Nation would be turning in his grave when he finds that the agencies associated with his name and declaring themselves to be devoted to the causes he cherished are involved in alleged clandestine and disruptive and anti-national activities. I would like to know, and would like the Minister to clarify, whether the name of the Father of the Nation can be allowed to be converted into a negotiable currency for siphoning off of international funds for disruptive activities? Thank you, Madam.

THE DEPUTY CHAIRMAN: Now, Mr. Irshadbaig.

श्री मीर्जा इर्शादबेग (गुजरात) : माननीय उपसभापति महोदया, मैं गृह मंत्री जी का इस रिपोर्ट को सदन में रखने के लिए आभार प्रकट करता हूं क्योंकि इसी विषय को लेकर मैंने इसी सदन में स्पेशल मेंशन के माध्यम से यह मुद्दा उठाया था कि राष्ट्र की सुरक्षा के साथ कुछ व्यक्तियों द्वारा और कुछ प्रतिष्ठानों द्वारा ऐसी बातें की जा रही हैं जिनकी वजह से इसकी सुरक्षा को खतरा पहुंच सकता है और इसलिए देश की जनता का यह जानने का सम्पूर्ण अधिकार है कि वे कौन से व्यक्ति हैं या कौन से आर्गेनाइजेशन्स हैं जो इस प्रकार की प्रवृत्तियों में शामिल हैं। इस संबंध में आज सूचना सदन के पटल पर रख दी गई है। इसलिए मैं फिर आपके माध्यम से उनका आभार प्रकट करना चाहता हूं। उन्होंने समग्र देश की जनता के समक्ष उस रिपोर्ट के निष्कर्षों को रख दिया है।

मैं आपके माध्यम से गृह मंत्री जी से एक दो बातें जानना चाहूंगा। सबसे पहले मैं यह जानना चाहता हूं कि सरकार किन कारणों से अवगत हुई कि कुछ ऐसे प्रतिष्ठान हैं जो ऐसी कार्यवाही कर रहे हैं और ऐसी कार्यवाही करने से उन्होंने देश की सुरक्षा को किस प्रकार से नुकसान पहुंचाया है? मैं उनसे यह जानकारी भी लेना चाहता हूं कि चाहे कोई कितना

भी बड़ा हो, राष्ट्र की सुरक्षा के ऊपर न कोई दल होता है, न कोई नेता होता है और न कोई व्यक्ति होता है। इसलिए मैं उनसे पूछना चाहूंगा कि जो लोग इसमें दोषी पाये गये हैं उन पर कब तक कोई कार्यवाही की जाएगी? सरकार ने बार-बार अपने निर्देश दिये कि अलग अलग माध्यमों से बाहर से जो रुपया आता था उसके द्वारा देश में कुछ ऐसी बातें की जा रही हैं जो उसकी सुरक्षा को खंडित कर सकती हैं, कुछ बातें बाहर के राष्ट्रों को दी जा रही हैं अर्थात् बेची जा रही हैं, यह अत्यन्त गम्भीर विषय है। जनता सरकार का जो दौर था 1977 से 1979 तक, इसके दौरान जनता सरकार ने जैसा कि रिपोर्ट में कहा गया है कि इससे पूर्व कई संस्थाओं के बारे में यह कहा गया था कि कौन कौन सी संस्थायें इनसे अपना नाता तोड़ लें। इन्होंने उनको अनुमति नहीं दी। जो इनको एड मिलती है या जो इनके संबंध दूसरे राष्ट्रों से हैं उन राष्ट्रों से इनके संबंध न हों, इसकी इन्होंने अनुमति नहीं दी। लेकिन बड़े आश्चर्य की बात है कि आज कई मुद्दों पर इन्हीं नेताओं ने और जाकर के एक राजनैतिक दल के साथ जुड़े हुए ज्यादा व्यक्तियों का इसमें नाम लेखा है। माननीय, मैं मंत्री महोदय से यह जानना चाहूंगा कि इस पर आगे उन्होंने क्या कार्यवाही की है? इसके मैं यह भी पूछना चाहता हूं कि इसकी भी क्या उनकी जानकारी में ऐसे व्यक्ति या ऐसे संगठन हैं जिन से देश की सुरक्षा को खतरा पैदा हो सकता है? वे उन के खिलाफ क्या कार्यवाही कर रहे हैं? ऐसी कितनी संस्थायें हैं और कितनी फॉरेन एड उन संस्थाओं को इसके माध्यम से मिल रही है।

माननीय, अंत में मैं आपके माध्यम से इतना ही कहना चाहता हूं कि हम दलगत राजनीति से ऊपर उठकर यह देखें, हमारा संबंध चाहे किसी भी आर्गेनाइजेशन से क्यों न हो, लेकिन हम यह देखें कि ये आर्गेनाइजेशन ऐसे काम तो नहीं कर रहे हैं जिससे देश की एकता और देश की सुरक्षा को नुकसान तो नहीं पहुंच रहा है। माननीय, जिस दिन यह मामला मैंने इस सदन में उठाया था उस दिन मैंने जो बातें कहीं थी उनका समर्थन दूसरे दल के लोगों ने भी किया था। मैं आशा करता हूं जब कि आज हमारे सामने खुले लफ्जों में बात आ गई है तो मैं ये यह आशा और विश्वास करता हूं कि एक न्यायाधीश द्वारा एक निष्पक्षीय जांच करके जो निष्कर्ष सदन के सामने लाये हैं तो हम सब मिलकर, तमाम राजनैतिक दल मिलकर ऐसे लोगों, ऐसी संस्थाओं की भर्त्सना करें। ऐसा जो कोई भी व्यक्ति है या ऐसी जो कोई भी संस्था है, या ऐसा कोई भी दल है उनकी भर्त्सना की जानी चाहिये। किसी भी दल को यह अधिकार नहीं है, किसी भी व्यक्ति को यह अधिकार नहीं है कि वह देश की सुरक्षा के साथ खिलवाड़ करे। अगर कोई इंसान ऐसी चेष्टा करता है तो यह बर्दाश्त के बाहर की बात है। मैं मंत्री महोदय से यह पूछना चाहता हूं कि ....(व्यवधान)... हां, कोई भी हो। जब मैं कोई कहता हूं तो उसमें सब आ जाते हैं। चाहे कोई भी हो तो इसमें सब आ जाते हैं। इसमें किसी को कोई छूट नहीं है, इसमें कोई बाहर नहीं हो सकता। आपकी नजर का तो मुझे पता नहीं लेकिन मेरी नजर में देश की सुरक्षा के साथ देश की एकता और अखंडता के साथ अगर खिलवाड़ करने की कोई चेष्टा की जाती है, चाहे वह इधर से की जाती हो और चाहे उधर से की जाती हो उसकी भर्त्सना की जानी चाहिये। महोदया, मैं आपके माध्यम से सरकार से मांग करता हूं कि फौरन ऐसे लोगों के खिलाफ कड़ी कार्यवाही की जाए और ऐसी संस्थाएं अगर उनके ध्यान में अभी भी हैं जो इसके अंदर नहीं आती है, जो इसके कार्य क्षेत्र में नहीं आती हैं तो फौरन ऐसे लोगों और ऐसी संस्थाओं के खिलाफ कड़ी कार्यवाही करने की, आपके माध्यम से, उपसभापति महोदया, मैं सरकार से मांग करता हूं।

धन्यवाद।

SHRI GURUDAS DAS GUPTA (West Bengal): Madam, it is really unfortunate that Gandhiji's name and memory has been allowed to be associated with a scandal which involves

[Shri Gurudas Das Gupta]

inflow of foreign money. This speaks of the erosion of the national morality in our country. And I am one with everybody that law should be applied indiscriminately. There should always be a probe when there is a complaint of a scandal and there is material basis for a scandal. Therefore, Madam, I want the law to take its own course, whether it is the Gandhi Peace Foundation, whether it is the Bharat Krishak Samaj scandal, whether it is Bofors scandal. There cannot be a discriminate use of law. Law has to be indiscriminately used. Therefore, it is no question whether ** has been indicated, it is no question whether** has been indicated, it is no question whether....

THE DEPUTY CHAIRMAN: No, no. i won't allow this. (*Interruptions*) whatever names are mentioned in the statement ...(*Interruptions*) Oonly the names which are mentioned in the report which has been laid on the Table of the House can be mentioned. I cannot allow any other name which concerns the other House or some other speaker and that won't go on record.

SHRI GURUDAS DAS GUPTA: Then I want a thorough and impartial probe whether it is concerning Gandhi Peace Foundation or whether it is concerning the import of fodder manufacturing machine scandal or whether it is regarding the purchase of guns for the defence of the country. Everything should be probed.

SHRI PAWAN KUMAR BANSAL: (Punjab): What is it about?

THE DEPUTY CHAIRMAN: Mr. Das Gupta, please confine yourself to the Kudal Commission. I told him also. Please don't go beyond that.

SHRI PAWAN KUMAR BANSAL: He cannot make oblique references to any matter.

**Not recorded.

SHRI GURUDAS DAS GUPTA: Madam Chairperson, I have been pleading for indiscriminate application of law irrespective of the position of person, irrespective of the pedigree of the person and irrespective of the polical affiliation of the person. I hope there is a complete unanimity on this question.

Madam, thirdly my point is that there is and there happens to be a steady erosion of values and steady erosion of values is leading to erosion of the political life, decadence in the political life. Decadence in the political life is leading to the decadence of the political parties as well as decadence of the political system. If this is allowed to continue, then the country as a whole will be in a serious crisis. Therefore, this is time for us to realise it and to have a common concern againts corruption in every form and foreign money in every form. Madam, I am afraid of foreign money Why. Because foreign money creates a material basis for the extension of foreign influence and extension of foreign influence leads to allegiance towards the foreign countries. Therefore, the security of the nation is at stake. If I take money from America. then I have my allegiance towards that country and my allegiance towards India is, therefore, seriously jeopardised. Therefore, the question is the question of foreign money. The danger that foreign money involves is extremely important. Therefore, the Kudal Commission can do little justice unless the Government takes upon itself the responsibility of either putting a total ban or controlling seriously the inflow of foreign money in the country. Therefore, I want to know from the hon. Home Minister whether the Government contemplates to ban the receipt of foreign donations by the so-called philanthropic organisations. I use the word 'so-called' deliberately. Under the signboard of philanthropic organisations, some of the organisation are indulging in political activites, particularly in the remote border areas

among the down-trodden and among the *adivasis*. Therefore, the Government should consider seriously whether this inflow of foreign money to the so-called dubious organisations should be allowed to continue or not. This is my first question. Secondly, even if these organisations are allowed to receive money, what about the accountability? What about the accounutability? (Interruptions) To me money is of greater importance. The point is that it is a question of accountability. If the Government is not in a position to put a total curb, there msut be a system to ensure accountability and that accountability should be done publicly. I want the Government to place before the people, before the Parliament, not only the list of the organisations receiving the money, but also as to how the money is being spent, who are the countries donating the money and who are the people and what is the aims and obpectives of the organisation. This is important because this question is involved with the question of national security.

Thirdly, Madam, I would like the Government to kindly ponder whether the Government is ready to bring about strict legislation to ensure some sort of setting up of automatic Commissions which will go probing into this type of complaints. Why I say so is that this Kudal Commission had taken seven years' time, a long period of time. The long period of time that it has taken gives rise to a suspicion that it is being timed with the next elections. Political advantage is sought to be gained. This timing is very interesting. It took seven years and the Report is placed after there have been mass resignations, after there have been political polemics, after the elections are drawing near. Therefore, this is in order to kill a dog and give it a bad name. That suspicion only arises because of the timing. (*Interruptions*) Therefore, Madam, I would suggest that instead of appointing Commissions, whether the Government is ready to consider a permanent mechanism through which this type of complaints can be seriously looked into.

Lastly, Madam, I take the Report with all seriousness. I demand indiscriminate use of law, I want punishment if anybody is guilty. I want nobody to go scotfree. At the same time, Madam, let me respectfully tell you and the House that I take the attempt of the Government with a pinch of salt because it is being deliberately done at a time when election is drawing near and the Government is not in a convenient position to face the people.

THE DEPUTY CHAIRMAN: Dr. Ratnakar Pandey.

डा० रत्नाकर पाण्डेय (उत्तर प्रदेश): माननीय उपसभापति महोदया, कुदाल कमीशन के संबंध में जो रिपोर्ट सदन में प्रस्तुत की गयी है और जो वक्तव्य माननीय गृह मंत्री जी ने रखा है उसमें कुछ रौंगटे खड़े कर देने वाले तथ्य हैं। गांधी जी के नाम पर स्थापित चाहे गांधी शांति प्रतिस्ठान हो, चाहे केरल का गांधी संस्थान हो अथवा समाज सेवा संघ हो इन तीनों संस्थाओं के माध्यम से जिस तरह से विदेशी एजेंसीज की जो धनराशि इस देश में आ रही है और संस्थाए खड़ी करके कुछ इस देश के तथाकथित गांधीवादी, विनोबावादी और सफेदपोश लोगों ने उसका दुरुपयोग किया है यह सारे राष्ट्र के लिए चिंता का विषय है। अभी मैं इस रिपोर्ट के फालोअप एक्शन को पढ़ रहा था और उसमें भारत के एक प्रतिष्ठित समाजसेवी, जनता पार्टी के उद्योगपति जार्ज फर्नांन्डिज का भी नाम था। अपने क्षेत्र में उन्होंने कई लाख रुपये हड़प कर लिए, किसानों की ओर से ट्यूबवेल खोदने के लिए 1,73,750 रुपये का एक ऋण प्राप्त किया गया और उन्होंने उस धन का दुरुपयोग किया। सुप्रसिद्ध गांधीवादी विचारक आर०आर० दिवाकर का नाम भी, जैसा मालवीय जी ने कहा कि, उससे जुड़ा हुआ है। रिपोर्ट 7 साल में आई और जो फालोअप एक्शन सरकार ने किया है उसमें बहुत से मद मूल्ये टालने वाले लगे। आर्थिक अपराध तो हुए और विदेशी धन को लाकर

[डा० रत्नाकर पाण्डेय]

गांधी जी के नाम पर उसका व्यक्तिगत दुरुपयोग हमने किया लेकिन जो सबसे महत्वपूर्ण बात है वह कुदाल ने अपनी रिपोर्ट के 227 वें पेज पर लिखी है कि "स्वयं सेवी संगठनों को विशेष तौर पर देश के प्रतिबंधित क्षेत्रों में ऐसी गुप्त और राष्ट्र विरोधी गतिविधियों में शामिल होने के किसी भी चांस को समाप्त करने के लिए सरकार को गैर-सरकारी व्यक्तियों और संगठनों के द्वारा ऐसे क्षेत्रों के मानचित्र बनाने और सवक्षण करने, विशेष तौर पर एरियल सर्वे और एरियल फोटोग्राफी करने संबंधी अपनी नीति का पुनरीक्षण करना चाहिए और ऐसी सभी गतिविधियों को रोकने के लिए उचित सांविधिक उपबंध बनाने चाहिए क्योंकि वे देश की सुरक्षा के लिए हानिकारक सिद्ध हो सकते हैं । सरकार को ऐसे क्षेत्रों को प्रतिबंधित घोषित करने पर भी विचार करना चाहिए और उन सभी मामलों का पुनरीक्षण करना चाहिए जो अब तक उसके नोटिस में नहीं रहे हैं।

आयोग ने यह पाया है कि देश के सीमावर्ती और तटवर्ती क्षेत्रों में काम कर रहे कई स्वयंसेवी संगठनों ने स्थानीय लोगों के लाभ के लिए विकास कार्यक्रम शुरू करने के नाम पर काफी बड़े स्केल पर मानचित्र प्राप्त किये और प्रकाशित किये तथा उन्हें विदेशी अभिकरणों को बताया । चूंकि ऐसे मानचित्रों का संबंध देश के प्रतिबंधित क्षेत्रों से होता है, अत. उन्हें सर्वे आफ इंडिया से अतिरिक्त, अन्य किसी स्रोत से प्राप्त नहीं किया जा सकता किंतु जांच से पता चला कि संगठनों ने उन्हें हमेशा ही गुप्त रूप से प्राप्त किया था और भारी मात्रा में विदेशी धन के बदले में उन्हें टोपोग्राफीकल और कार्य संचालन क्षेत्र के अन्य संबंधित आंकड़ों सहित धन देने वाले अभिकरणों को सौंपा था । ऐसे कई मामलों में विदेशी अभिकरण ने अपने आप ही कार्य संचालन क्षेत्र को चुना और कुछ प्रतिबंधित क्षेत्र के बड़े स्केल के मानचित्रों तक की मांग की।

माननीय उपसभापति जी, जो कुछ मैंने पढ़ा है, यह राष्ट्र की उस समवेदनशील भावना से जुड़ा हुआ है जिससे हमारी राष्ट्रीयता जुड़ी हुई है और राष्ट्र के जो यह प्रतिबंधित क्षेत्र हैं, जहां प्राहिबिशन है, उनका भी सौदा पैसा लेकर इस तरह संगठनों ने किया है । चाहे राधाकृष्णन हों, चाहे गांधी शांति प्रतिष्ठान के और लोग हों, जो रिपोर्ट में आया है, चाहे आर० आर० दिवाकर हों, चाहे जार्ज फर्नांडिज हों, यह एक बड़ा ही सीरियस मामला है।

मैं माननीय मंत्री महोदय से जानना चाहता हूं कि कुदाल कमीशन की रिपोर्ट पाने के बाद जो कुछ विदेशी इशारे पर भारी धन मात्रा लेकर इन संगठनों ने रुपये लेकर के, धनराशि प्राप्त करके हमारे गोपनीय दस्तावेज, नक्शे और अन्य चीजें दी हैं, उनके विषय में सरकार ने क्या कार्यवाही की है? उसकी कोई चर्चा इस फालो-अप एक्शन में नहीं है और जो रिपोर्ट का अंश मैंने पढ़ कर सुनाया है, उस पर मैं चाहूंगा कि सरकार क्या कर रही है?

दूसरा जैसा कि स्वामी जी ने कहा कि वी० पी० सिंह के संबंध में आपकी सरकार कोई कमीशन बिठाने को तैयार है कि नहीं? अभी इसी सदन में हमने सिद्ध किया है कि जनता दल के एक सांसद, राम जेठमलानी विदेशों में जाकर के खालिस्तान की मांग करके ... (व्यवधान) यह राष्ट्रीयता का प्रश्न है । बापू कालदाते, राष्ट्रीयता के प्रश्न पर मत टोको आप ... (व्यवधान)

डा० बापू कालदाते: आप बोलते रहिए, आप प्यार से बोलो .... (व्यवधान)

डा० रत्नाकर पाण्डेय: रामकृष्ण हेगड़े ने करोड़ों रुपये की जमीन का घोटाला किया ... (व्यवधान) पंद्रह लाख रुपये रोज उसने शराब पर टैक्स न लगा कर लिया है। ... (व्यवधान)

राम जेठमलानी विदेश जाकर अमरीका की सहायता से वी० पी० सिंह को प्राइम मिनिस्टर और राम कृष्ण हेगड़े को... (व्यवधान) बनाने की बात की है। यह सब अराष्ट्रीय कार्य हैं और इस देश की जनता किसी को प्रधान मंत्री नहीं बनायेगी, तो अमरीका बना देगा ... (व्यवधान)

इस तरह के जो अराष्ट्रीय कार्य कलाप चल रहे हैं देश में, मैडम ... (व्यवधान) उन हमारी सरकार के मंत्री जो बैठे हैं, वह बतायें कि क्या वह करना चाहते हैं? ... (व्यवधान)

जैसा भजन लाल जी ने कहा, मैं बता देना चाहता हूं कि ग्रामीण विकास कार्यक्रम में और ग्रामीण रोजगार कार्यक्रम में कर्नाटक, आंध्र और असम की सरकार ने गड़बड़ी की है--यह सी०ए०जी० रिपोर्ट को ध्यान में रख कर, क्या भारत सरकार इसके लिए कमीशन बिठाने के लिए तैयार है कि नहीं?

इन्हीं शब्दों के साथ मैं चाहता हूं कि स्पष्ट होकर के बताई से सरकार जो कुदाल कमीशन की रिपोर्ट आई है या जो और भी पंचमांगी तत्व विदेश को देश की माता को बेचने वाले तत्व सौदा करना चाहते हैं, चाहे वह इस सदन के सदस्य हों, चाहे वहीं मुख्य मंत्री हों, चाहे और कुछ हों ... (व्यवधान)

डा० ब पू कालदाते : चाहे प्रधान मंत्री हों। ... (व्यवधान)

डा० रत्नाकर पण्डेय : उन पर क्या कमीशन बिठाने की कार्यवाही की जा रही है? हमारे विकास के कार्यक्रमों में जो आर्थिक गड़बड़ियां की गई हैं, उसके संबंध में गवर्नमेंट का क्या एक्शन होगा, यह सदन स्पष्ट जानना चाहता है।

डा० अबरार अहमद खान (राजस्थान): माननीय उप सभापति महोदया, वास्तव में यह बहुत ही दुर्भाग्य की बात है कि हमारे राष्ट्रपिता महात्मा गांधी का नाम ऐसी संस्थाओं से जुड़ा हुआ है जो इस प्रकार के स्कैण्डल में लिप्त हैं। मैं तो सर्वप्रथम आपके माध्यम से यह मांग करना चाहता हूं कि हमारे पूज्य पिता महात्मा गांधी जी का नाम ऐसी संस्थाओं से तत्काल हटा लेना चाहिए जो इस प्रकार के स्कैण्डल में लिप्त है। मैंने कुदाल आयोग की रिपोर्ट को देखा, अखबारों में पढ़ा और यह वक्तव्य देखा तो उसके अन्दर कुछ ऐसे लोगों के नाम भी पढ़े जो सदन के अन्दर नैतिकता की बात करते हैं, ईमानदारी की बात करते हैं, ईमानदारी का ढोल बजाते हैं, लेकिन उस कुदाल आयोग की रिपोर्ट में जो इस भ्रष्टाचार के अन्दर लिप्त हैं उसमें एक नाम हमारे पूर्व एम० पी० श्री मधु दंडवते का भी था, उसके अन्दर प्रोमिला दंडवते का भी नाम पढ़ा और उसके अन्दर जैसे डा० रत्नाकर पाण्डेय जी ने कहा जार्ज फर्नान्डीज का भी नाम पढ़ा, इन लोगों के नाम जो उस रिपोर्ट के अन्दर आए हैं, - माननीय मंत्री जी से पूछना चाहूंगा कि इन लोगों की स्थिति स्पष्ट करें? ... (व्यवधान)

THE DEPUTY CHAIRMAN: Names which are in the report will have to be taken.

डा० अबरार अहमद खान : माननीय मंत्री जी से यह जानना चाहूंगा कि वे लोग जो नैतिकता की बात करते हैं, ईमानदारी का ढोल पीटते हैं और इस भ्रष्टाचार के अन्दर लिप्त हैं जिनका नाम इस रिपोर्ट के अन्दर मौजूद है, सब प्रेस में छपा हुआ है, उनकी स्थिति स्पष्ट करें कि वे किस प्रकार से इस भ्रष्टाचार के अन्दर लिप्त हैं।

इसके साथ ही साथ, रिपोर्ट में कुछ संस्थाओं के मूल निर्धारित कार्यों से हट कर काम करने और विध्वंसकारी एवं साम्राज्यवादी शक्तियों के साथ नाता जोड़ कर देश को बदनाम करने के लिए गांधी स्मारक निधि और गांधी शांति प्रतिष्ठान की तीव्र भर्त्सना की है, तो मैं यह जानना चाहूंगा कि वह विध्वंसकारी शक्तियां कौन सी थीं जिन से इन संस्थाओं के संबंध थे और उन पर वह कब तक क्या कार्यवाही करने जा रहे हैं?

[डा० अबरार अहमद खान]

इस के साथ ही साथ, दोनों संस्थाओं के प्रबन्ध के अधिग्रहण पर कदम की सिफारिश इस रिपोर्ट में की गई है तो कब तक इन संस्थाओं का अधिग्रहण कर रहे हैं, इस बारे म माननीय मंत्री जी बताएं ? धन्यवाद।

SHRI KAPIL VERMA (Uttar Pradesh): It is really very sad that organisations which are associated with the name of the Father of the Nation should be the subject of such kind of discussion or interpallations here which smacks of scandals. The least that can be done is to disassociate the name of Gandhiji, the Father of the Nation, from such organisations. It is also very sad that certain persons who evoke respect in public life are named in this report. I hope those gentlemen, those public leaders will clarify their position and clear their names so that they may not be a subject of suspicion. I do not want to say more on this because there is a mountain of evidence in this report, and particularly I do not want to cover the ground already covered by other colleagues here. I would limit myself to certain areas which have disturbed me greatly. I would like the Home Minister to throw light on that aspect, and that is particularly about the flow of foreign money. Kudal Commission has made a specific mention of certain things, particularly the maps, topographical maps, Thirteen large scale topographical maps of different areas knows as restricted areas, particularly bordering Burma, China, Tibet and other defence-wise sensitive areas. These maps have been sold or given to certain foreign agencies in return for money, or, in return for certain aid. There is a West German organisation known as E.Z.E., which functions under the cover of the West German secret agency, B.N.D., and this organisation got prepared certain topographical maps by AVARD, one of the organisations mentioned in this report. More than that, the C.I.A. has also been mentioned in this report. The Commission has observed that it cannot be ruled out that this organisation played into the hands of the C.I.A., and it was found to have indulged in certain activities of a highly objectionable nature. There is a name of another organisation mentioned here, the World Neighbours of the United States of America, which gave money to a Kerala organisation.

I want the hon. Home Minister to throw light on these specific areas. What information the Government has on this subject? How were these maps prepared? How, in sensitive border areas, bordering China, Tibet, Burma and other places, could aerial surveys be carried out? How could these maps defence maps, have been prepared? What was the intelligence agency doing at that time? What was the Government of India doing at that time? What information the Government has on this subject, about vital defence secrets passing into the hands of foreign agencies? I will not read more of it. But the Commission has said that these defence-related secrets were being passed on to foreign agencies.

We have an Act in regard to regulation of foreign contributions. I would like to know from the hon. Minister whether there is adequate machinery for checking the accounts which are given by these agencies. I would like to know from the hon. Minister whether they are able to check, the Government are able to check, that the money was actually spent. What is being done about that? What action the Government is taking on these particular issues?

I would just ask one or two more questions. I would like to know whether the Government will publish the names of the organisations which are receiving funds from abroad and which, the Government believes, are fraudulent, or, have shady connections, so that the people in public

life may not get involved unintentionally with such organisations. Somebody comes to a public leader and he becomes the patron or a member or some office-bearer of some organisation. The Government should publish the names of such organisations. I would also like to know, what is the Government's reaction to the Commission's proposal for a law, a definite law, either to ban these contributions, or, to regulate their flow, so that they are spent properly. There should be a foolproof law. In my opinion, all these organisations should be compelled to publish their full accounts detailing how much money they have received, how it has been spent, etc. It will be better if they are published in the newspapers also. I hope the hon. Minister would throw light on the points made by me, particularly, the defence-related ones.

SHRI MADAN BHATIA (Nominated): Madam Deputy Chairman, the Gandhi Peace Foundation is a noble institution. Its name is associated with the noblest son that India has ever produced in the last two thousand years. But the crimes and offences which have been disclosed in this report as having been committed by individuals in charge of running these organisations make a horrifying revelation. On one thing we must be clear that this report has not given findings against the organisations as such, it has given findings against individuals, against those individuals who were in charge of running the affairs of these organisations, and who are those individuals? Their names read like a directory of 'Who is Who' and who, unfortunately, hold very important positions in the opposition politics today and who are not tired, day in and out, of preaching clean public life and political morality to the people of India.

Madam, this statement of the hon. Home Minister has mentioned that the Fourth Interim Report discloses 13 actionable cases, Fifth Interim Report disclose 9 actionable cases, Sixth Interim Repodt discloses 20 actionable cases and the final report discloses 16 actionable cases. The total number of actionable cases against specific individuals, which have been disclosed by the report, come to 55. The statement of the hon. Home Minister has not given details of the actionability of the cases on which these individuals have been indicted. There is a report which has appeared in one newspaper, namely, 'National Herald'. Some hon. Members have also referred to some extracts of the report itself, and what are the offences? The first question that I would like to ask the hon. Home Minister is this. According to the newspaper report the offences are: (1) Misappropriation of foreign funds; (2) Falsification of accounts; (3) Criminal breach of trust; and (4) the most horrifying of all the crimes, the biggest crime that an individual can commit, namely, treason against India. In this regard, according to the newspaper report, it says:

> "It notes that some of these organisations turned into the hotbed political activities. The questionable activities which may be construed to be treasonable in nature have been specifically identified.
>
> The reports point for instance, to offences under the Official Secrets Act and the violation of conditions pertaining to aerial photography.
>
> The Commission also finds some of the voluntary bodies to have indulged in the collection of sensitive data and purveyed that same to various foreign agencies for analysis and use.
>
> The reports make the sensational disclosure that restricted data pertaining to the Ganga-Brahmputra basin was collected and passed on to foreign agencies by a voluntary organisation. Besides, another voluntary body got engaged in the

[Shri Madan Bhatia]

collection of geophysical data of different parts of the country passing on the same to a foreign agency."

I would like to ask the hon. Home Minister, who are those particular individuals who have been specifically indicted in respect of particularly those offences of treason? Falsification of accounts, misappropriation of funds, criminal breach of trust, amount to a financial corruption. The law will have its own course but so far as the offence of treason committed by high political figures in this country is concerned, the nation cannot, in any manner, close its eyes, the law should not only have its ordinary course but quick and fast retribution must fall on those particular individuals. I, therefore, like to ask the hon. Home Minister, is it not a fact that some of these leading lights, the political leading lights, who have been indicted and against whom the findings of treason have been recorded by this Commission, whether those political lights did not play an important role in the enactment of the Special Courts Act and whether the hon. Home Minister will offer them the choice whether they will like to be tried by the Special Courts in this country or whether they will like the ordinary law of the land to be followed? Now, the answer has to be given by these individuals. When it was a case of Mrs. Gandhi whom they tried to try on the basis of trumped up charges they could think of Special Courts, and here when they have been found guilty of treason there is no reason why Special Courts should not be established in order to try them so that they could receive the heaviest and the quickest punishment which this country can award. This is the second question I would like to ask from the hon. Home Minister.

The third question that I would like to ask from the hon. Home Minister—Madam, I will be closing—what are the names of those foreign agencies which had become the conduit pipe for the inflow of foreign money into the hands of these individuals through the facade of these noble institutions. This is the important question. What were the connections of those foreign agencies with one most diabolic agency which does not stop its interference in all the non-aligned countries of Asia and Africa? This is the important question. The link has to be established, the link of these foreign agencies with the Central Intelligence Agency of the United States. Time and again, and cover again, Mrs. Gandhi had been drawing the attention of the people of this country to the gross interference by the CIA into the affairs of India.

In this connection I will like to remind this honourable House of the visit which made by Mr. George Fernandes in 1982 or 1983 to Pakistan along with two other compeers. He went there as a guest of Gen. Zia-ul-Haq. He comes back and he says that so far as Pakistan is concerned there is absolutely no danger, that India is absolutely secure and safe against the designs of the military rulers of Pakistan, there is absolutely no iota of evidence of any nuclear capability being developed by Pakistan. He went to the extent of giving such a clean chit to Gen. Zia-ul-Haq and the military rulers of Pakistan. From the floor of this hon. House I condemned it. And today this report of Kudal Commission has vindicated the fact that this particular individual has been a party, has been an accomplice to an act of treason against the country at the behest of the foreign agencies which in themselves are the facade of the Central Intelligence Agency. I will like the hon. Home Minister to confirm whether it is so or it is not so. (*Time Bell rings*)

Thank you.

SHRI JASWANT SINGH (Rajasthan): Madam Deputy Chairman, I

must at the outset confess that as the Kudal Commission, essentially a vendetta and child of the years of emergency, was like a roving, fishy inquiry, today, while seeking clarifications on the final report and action taken, etc., it has also become a kind of free-for-all roving, fishing expedition of various kinds of allegations. As I was listening to all the allegations, I was struck by a thought: It is said that what led to the decline and, finally, the demise of the Athenian civilization was the loss of mutual restraint, a loss of regard and tolerance. I was very much struck by that because what currently characterizes the political scene in the country is this unrestrained mud-slinging at each other and every opportunity that arises is seen to be employed by one party with a view, of course, to hurting the other, little realizing how suicidal in its eventual consequences all this is going to be. My purpose is not to philosophize, but I could not have let this opportunity pass without sharing some essential concerns.

Madam, a heavy responsibility rests on the able shoulders of the Union Home Minister and his very valued colleagues. It is not for me to suggest to the Union Home Minister or his worthy colleagues as to how they are to interpret their responsibilities. But I am here struck by the aspect of this constant misutilization or, the political misemployment of the agency of Commission of Inquiry.

A term has constantly been used by the honourable Union Minister of Home in giving this statement, about "actionable cases." I was attempting to understand from my legal friends as to what exactly the meaning—the legal import—of "actionable" is. A Commission of Inquiry set up under the Commissions of Inquiry Act can, after all, only recommend action, and it is up to the Government, thereafter, to act upon the recommendations or to not act upon them. The selectivity with which the Government then chooses to either act or not act destroys or upholds the institution. The other day the whole country and both the Houses of Parliament were exercised by a Commission of Inquiry which had found some individual guilty. Actionable cases had been established against him and, yet the Government, in its wisdom and judgment, after many years of having kept the report of that Inquiry Commission away from the scrutiny of Parliament, said, "No, what that Commission of Inquiry or that. Justice has found as actionable is no longer actionable." In the present instance, Madam—I haven't had as deep a study into the sewers of corruption as some others have had—I did investigate and I found that the speed with which this Commission worked was tardy. I had some acquaintanceship with the personality of Justice Kudal—he comes from my State... I will wait for the transfer of power to be completed During the interregnum of transfer of power, it is better not to speak in a vacuum.

[The Vice-Chairman (Shri B. Satyanarayan Reddy) in the Chair].

SHRI RAM AWADHESH SINGH (Bihar): Transfer of Chair has already been made.

SHRI JASWANT SINGH: Mr. Deputy Chairman, Sir...

SHRI RAM AWADHESH SINGH: "Mr. Vice-Chairman, Sir."

SHRI JASWANT SINGH: Mr. Vice-Chairman...

SHRI RAM AWADHESH SINGH: Chair has been transferred from Deputy Chairman to Vice-Chairman... (*Interruptions*)...

SHRI JASWANT SINGH: Sir, I won't go into my acquarintainship with the personality of the Chairman of this Commission, Justice Kudal.

SHRI RAM AWADHESH SINGH: Government's chair has to be changed.

SHRI JASWANT SINGH: But the conduct of the Commission itself speaks for itself. The Commission was set up in February 1982. It concluded its labours on 31st January 1987, just about 16 days short of five years. And the hon. Union 4.00 P.M. Home Minister has informed us that even though the Commission was set up probably for six months to start with, it kept on extending itself for five years. Thereafter the Union Hime Minister informs us that a stay was obtained. These are the words used by him. A stay was obtained from the Kerala High Court, and the stay was vacated only in August, 1987.

So, my very first query really starts from here. When was the stay actually granted? The Union Home Minister seems to suggest that till such time as the stay was in force, the Union Home Ministry did nothing with this matter, not even consulting with other Ministries because that seems to be the line taken in the statement itself that because there was a stay in force till August, 1987, the Union Home Ministry, therefore, did nothing in this matter. It did not even consult, other Ministries about was action had to be taken. I find that a little difficult to digest, Sir.

However, the question still remains that even if it was August, 1987 when the stay was vacated, from when the Union Home Ministry could start looking into this matter, from August, 1987 to August, 1989 it is two years. For near about seven years, if not seven-and-a-half, this Commission was engaged in a fishing enquiry against a number of prominent dignitaries, with some of whom I feel privileged to have been associated with, some of whom I still consider it my honour and pride to be friends with, and all of whom, without exception—despite what Justice Kudal might have said, I for one am not ready to believe—are guilty of treason to the nation! It is a very serious charge that was made. For seven years it the Government has sat upon the charge of treason, how can Members accept it?

There are of course other charges like misappropriation of funds, of funds received from abroad. I have with me here a reply. I am informed that a question was asked by my hon. friend, Mr. Eduardo Faleiro, in that year, and the reply was given by the then Union Minister of State for Finance. I am not going through it. The Government itself has been embadrassed by the prolongation of Justice Kudal's endeavour. The Union Home Minister would perhaps not admit it now. But it is a fact that the Government itself found the efforts of Justice Kudal, and be perpetuating his enquiry year after year an embarrassment. What was born, and essentially with a view to misemploying, in the post-emergency years, this agency of commission of enquiry really has turned into a Frankenstein. I am somewhat struck that seven years after the setting up of this Commission, the Union Home Ministry should find it necessary to come forward here, that Parliament should suddenly be engaged with that. With what purpose, as I said, in this climate of mutual mud-slinging?

I would like to take a little time on this question of treason. Before coming to it, would the hon. Home Minister confirm because my facts could well be wrong? To my study and information, from five years of the enquiry and two years of investigation by the Government, Justice Kudal himself had said that 180 cases, total number, were actionable, out of which after investigation by various agencies of the Government of India, and the CBI itself said that out of those 180 cases not more than 10 per cent, that is, about 18 cases—I could be

faulted on the exact number—are such which can stand the scrutiny of the court. Am I correct in my assessment or am I wrong? Twenty of such cases were referred to various Ministries and State Governments for administrative action. Then this question of treason which was referred to by two hon. Members was that some defence ordnance maps relating to our North-East or somewhere else—which were blown up, if I am not mistaken—were sold to foreign powers for money. This is too serious a charge to leave unquestioned and too serious for the Government to sit upon for several years. Would the hon. Home Minister confirm or deny that, in fact, this case of map went to a court of law? Two cases were registered. They went to a court of law and an Under Secretary or a Deputy Secretary of the Ministry of Defence gave evidence in that court of law that no violation of any defence secret, leave alone maps, took place. Following upon that evidence, the court in which the case was being heard, dismissed the case. This is a very important matter because two responsible Members of this House referred to treason. Treason is a very big charge to level against my friends like Madhu Dandavate, George Fernandes or B. G. Verghese or Lakshmi Chand Jain. I would not name various others who have been named in this report. It distressed me a great deal that eminent Indians are being charged by us for treason.

I went through some of the aspects of Justice Kudal Commission's working. I am given to understand that near about Rs. 1.5 crore was spent on the working of the Commission. It had a staff...

DR. BAPU KALDATE: Rs. 4 crore.

SHRI JASWANT SINGH: No, I have the exact reply given here. In fact, it was a question asked by you. But that is all right. After all if treason against the country is involved that sort of expenditure is also no expenditure. But I am interested in knowing that having done that and after having a staff of 150 people, which laboured for five years, if not more than 10 per cent of the cases can be taken to a court of law, would the Government not call a halt to this business of political misuse of the agency of commissions of inquiry? There are one or two other questions. On page 5 of the statement the Union Home Minister has made—and it is linked with this business of treason—it is said:

> "All these organisations, which were public institutions to serve society in the best Gandhian tradition became instruments for self-serving individuals for political and financial advantage..."

Up to here I don't have much objection, because it is a matter of subjective opinion and the Union Home Ministry is entitled to have its views. It is thereafter tha I have a difficulty.

> "...political and financial advantage working quite often against national interest."

Now, this is too much ilke treason again. Therefore, I would like the Union Home Minister to affirm whether treason has been proved as a charge against any of the persons so charged. I did claim to have asked the hon. Home Minister to clarify about the defence maps. If treason has not been proved, the Union Home Minister should explain how and in what other fashion they worked against the national interest. And if the Union Home Ministry had this information in its possession since certainly the January of 1987, that a number of Indians, to borrow a phrase from the Unicn Home Minister himself, "a clutch of Indians", for example, had been working against the interests of the nation. Then, why did the Union Home Minister not charge them for the past 2½ years? Why have they not been arraigned before a court of law? It is a very serious matter, Sir.

[Shri Jaswant Singh]

I would conclude, Sir. You have been very patient, indeed the House has been. I don't delight in this task. I would conclude by saying that it is very regrettable that national consensus ought to have so broken down today, on all issues, that we approach even such matters as probity in public life or national interests or treason as an issue of partisan politics and I think that above all, above any other aspect of what the Union Home Minister is now attempting to do partisan politics by presenting this report to the Parliament is the worrisome aspect of it. Thank you.

SHRI M. S. GURUPADASWAMY (Karnataka): Mr. Vice-Chairman, Sir, a good deal of ground has already been covered. Many questions have been raised for clarification by my colleaguues. I would like to draw the attention of the Home Minister and the House to the appointment of the Kudal Commission itself and its terms of reference. That will give us some idea as to how the Commission was set up and the parameters within which the Commission was asked to inquire. The Commission was set up on the 17th February, 1982 to inuire into the working and activities including publications and sources and misuse of funds of four named Gandhian bodies—the Gandhi Peace Foundation, the Gandhi Smarak Nidhi and the All India Sarva Seva Sangh and the Association of Voluntary Agencies for Rural Development plus other organisations closely connected with them. The Commission was authorised to include in this category more than a thousand organisations spread all over India. It is very clear that no specific allegations, no specific charges were made on the basis of which the Commission was set up. The Commission was to inquire into various gossips, rumours and suspicions which were written or said by various quarters. This is the character of inquiury. I refer to this aspect because I thought it is very important. It sets the direction and the pattern of inquiry. So there were no specific charges which the Commission was appointed to inquire into. My second point is the character of the Commission itself. Sir, I have got here some information about the character of the Commission. Purshottam Dass Kudal was the year when the historic split in and he was a Judge of the Rajasthan High Courut and before he was a Judge, from 1955 to 1971, he was a member of the Rajasthan Pradesh Congress Committee. In 1961, he was the President of the Ajmer District Congress Committee. From 1965 to 1968, he served on the Executive Committee of the RPCC. In 1969—that was the year when the historic split in the Congress took place on the eve of which I resigned from the Government—he led the Ajmer delegation. We held Congress Session in Gandhinagar in Gujarat and Shrimati Indira Gandhi Congress held their conference in Bombay almost simultaneously in 1969, he led the Ajmer delegation to the Bombay Congress, the first after the Congress split. As I said earlier, Kudal was one of the leading members of the executive of the Pradesh Congress to throw in his lot with Shrimati Indira Gandhi. Then, there are a couple of interesting details about this person. From 1951 to 1967, he was the Rajasthan Revenue Board's lawyer. In 1972, he was appointed a Member of the Board, a post given to bureaucrats, never to lawyers. He also had Sarvodaya connections as President of the Ajmer Zila Sarvodaya Mandal and Bhoodan Andolan. He was once the Chairman of the Ajmer Centre of the Gandhi Peace Foundation into whose activities he was probing into. Further, I have got information that on February 4, 1948 he was arrested—mark this—he was arrested and detained at the Ajmer Kotwali for his alleged association with an organisation suspected to be responsible for the murder of Mahatama Gandhi. He was released the next day reportedly after giving an undertaking that he would disassociate

himself completely from that organisation. There are other things also about him. I do not want to say much. This is the character of the Commission. So, this Commission was asked to inquire into the moral lapses of Gandhian organisations.

The third point I would like to make is, as Members, we know, we serve many organisations and the organisations are permanent, not the Members or the executives. The Members of the executive come and go. Here, the inquiry is not against the organisation as such. The inquiry is about the individuals who were held responsible for the activities done in the past by some other members also. So, the nature and the character of the Kudal Commission is reminiscent of the Commission which was appointed by the House of Representatives of the United States for the un-American activities during the days of McCarthy. That was the period of McCarthysm and there was a lot of which-hunting in America. So, my observation is, this Kudal Commission is nothing but a commission in the nature of inquisition. Its inquiry is an inquisitional inquiry. We know what inquisition is. The purpose is to use it as an instrument of harassment, intimidation and it is used to defame those people who are already famous. "I cannot tolerate somebody's fame. So what is left? I am a small man, I cannot rise up to that level. So, let me defame him." That is the approach which the Government adopted in appointing this Commission. I am not holding any brief for moral lapses or immoral activities. Whether an immoral act or an unethical act is committed by me or by anybody else, it is the same. The same yardstick has got to be applied to all. Justice has got to be done. Not only that, It should also seem to be done. It is more important. The latter aspect is completely forgotten in this case. I thought the Government is a vary vast organisation with a lot of talent and experience which we do not have as individuals and it should be more mature, responsible, magnanimous and fair in judging, in evaluating the material. Before appointing a commission, I expect that all care should be taken particularly so when we are inquiring into organisations like the Gandhian Foundation. Such thought did not occur to them. Perhaps this was handled by the clerical staff of the Home Ministry and the decision was not taken after exercising full judgment, full care in this important matter. My colleague has already said there were about 180 cases which were identified of which ten per cent were found to be good enough for further action. While saying that, he referred to that part of the statement the Home Minister has made about treason, the involvement of persons in treasonable activities. It is a very important, very very far reaching, sweeping charge. Unfortunately, in this country, we have become so cavalier in calling each other as treasonous. The word 'treason' has lost its significance. If you want to abuse a man, call him a foreign agent. It has become a fashion. It has lost its meaning. In a foreign country to you use this word treason against anybody, it is reprehensible. It is a charge of the highest order. You condemn him as a man as a national. Here Mr. Buta Singh has, thoughtlessly perhaps, used the words that these organisations were instruments for self-serving individuals for political and financial advantage working quite often against national interests. It is not proved. I want to confront him with this question: Has any case been proved against anybody for treason or related cases? My colleague referred to a case of maps. I know. This case came up before a Metropolitan Magistrate and the maps published were maps on Nagaland and Kerala. A Joint Secretary of Defence, one Mr. Mishra, appeared in the court and he said it had no case. These maps are not maps which will embarrass the Government or compromise our security at all. And the Defence Chiefs also appeared. They concurred

[Shri M. S. Gurupadaswamy]

and the case was dismissed. This is only an intance to show how Government is very callous in treating organisations and persons of repute in this country. Yes, sometimes in public life people are maligned. But not to this way. There was a suggestion that all voluntary organisations have to be screened, have to be probed into. May I say with all huminity at my command that all the foreign funds, particularly those referred to CEZE, West Germany, the largest funding agency which is mentioned in one of the reports, which has been funding various voluntary organisations, are channelled through the Government of India itself! Whom are you blaming? The Government of India, before giving its clearance, scrutinizes everything, every aspect, and then releases these funds to the voluntary organisations. If you go on suspecting voluntary organisations why should voluntary organisations function at all? Is it that only Government of India is honest and that all the voluntary organisations are dishonest? If that is so, let us say no more about voluntary organisations. You are working in a particular milieu, a social milieu. You have got to understand, voluntary effort is a very vital activity. Is it our contention that because there is a lapse somewhere we should wind up our voluntary organisations, our voluntary activities? Then Government will become a dictator, it will become a tyrant. Our approach should be to see that voluntary organizations function properly on sound lines. We also expect the Government to function properly, on proper lines. In what way the Government is better than the voluntary organizations. I do not understand. Scandals are galore. Any Government would have to face that problem and, to take one instance and condemn the voluntary organisation and voluntary efforts is, to my mind, wrong. We are responsible Members of Parliament and we represent the nation and we have to be careful while delivering our judgements over persons and organizations.

Sir, some of the cases were referred to the CBI and the CBI has gone through these cases and investigated them. But there is not even one single instance where the Government of India has suceeded in these cases; not even one. I do not want to refer to motives behind Mr. Buta Singh's bringing forward this report just now, I am not asking why he has brought forward this report just now and why he was keeping quiet all these months. I am not referring to that and I do not want to question his motive.

AN HON. MEMBER: It is clear.

SHRI M. S. GURUPADASWAMY: But I want to ask him whether it is right and proper to indulge in witch-hunting. What will happen then? No voluntary organisation will come forward to take up any voluntary work. You have to do everything through governmental channels? Are we in a democracy or in a totalitarian State? Ours is a pluralistic State where the Government and organisations have got to co-exist and they have to share responsibilities. If lapses are there, they have got to be corrected. There are several leaders who have been mentioned. After all, Kudal is a pygmy before these people, before Mr. Morarji Desai and others. Mr. Morarji Desai has been mentioned and Gandhians have been mentioned. There is a limit to this kind of an inquiry. This is no inquiry at all because there were no specific references and specific charges were not referred to and no inquiry has been done. But an amount of Rs. 4 crores has been spent on this Commission. It is said that the people go to the courts. Should we not anticipate these things? When a wrong decision is taken, courts are the places to which the people go and get the stay orders. It should occur to me as an administrator, and this cannot be an excuse for the delay. I do not want in this country a roving inquiry without specific charges. The

same yardstick has got to be followed in respect of all the cases, whether they relate to my people and my party or to your people and your party. Therefore, I would like to ask the Home Minister to come out with all that he has. Let us have a debate; I have no objection to having a debate. But he has come out with a statement as if something big has happened, as if people have been involved and as if people have committed felonies which cannot be excused. Nothing at all. It is nothing but witch-hunting. I think this country should not have such commissions. We have seen commissions. Tomorrow, Mr. Buta Singh may occupy this place, my position, and he may be here.

SOME HON. MEMBERS: Surely.

SHRI M. S. GURUPADASWAMY: Let not the country say that any Government — any Government which comes into being — is partisan. No Government should be partisan, vindictive. We should not indulge in political vendetta. Therefore, we are not on the defensive. Let me tell you that we are not on the defensive nor you are in the right. The whole house is concerned with the atmosphere in public life. We want a clean public life. We are all interested in that.

AN HON. MEMBER: What about Shah Commission?

SHRI M. S. GURUPADASWAMY: The Shah Commission has brought many things against Indira Gandhi. I know that. Why are you referring to that (*Interruptions*) Please remember this. The Janata Government did not sanction funds on their own. Even previously the Congress Government headed by Indira Gandhi was releasing these funds. The Janata Government countinued the funds. An impression has been created that the Janata Government did all this, provided money. Yes, they provided in the same way as Indira Gandhi also provided funds for these organisations. Funds are being provided for the panchayati raj institutions also. Nothing wrong in providing funds for voluntary organisations Therefore, funds have got to flow, whether you are in Government or I am in Government. Let us understand that. If there are lapses, lapses have got to be corrected. And the Government has got to function as a friend, philosopher and guide of these organisations. Let there be no witch-hunting any more. I warn the Home Minister. If he persists in this kind of activity it wll recoil on the Government, it will boomerang on them. Whichever party takes over as Government, it should behave in the same manner, have the same standards and same norms. Let there be therefore no more witch-hunting.

Thank you, Sir.

THE VICE-CHAIRMAN (SHRI B SATYA NARAYAN REDDY): Prof Sourendra Bhattacharjee, I will request Members to be brief because the list of members is very long. Pease be brief.

PROF. SOURENDRA BHATTACHARJEE (*West Bengal*): Thank you. The statement that has come before us speaks of so many things, but more particularly about the question of corruption. I should say, as told already by various speakers, that whoever may be charged with corruption, either the Prime Minister or the potential Prime Minister, must be brought to book. Now. I went through the statement repeatedly. One Member referred to the delay in completing the work of the Kudal commission. He referred to that portion where it is stated that a stay order was obtained from the Kerala High Court. At what point of time? This has not been mentioned here. But then it was vacated in August 1987. In the statement it is given that the final report of the Commission covering 29 cases was submitted to the Government on the 29th

[Prof. Sourendra Bhattacharjee]

January 1987. If the stay order was an obstruction to the work of the Commission, how could the report be submitted in January when the stay order was vacated only in August, 1987?

Secondly, Sir, the Home Minister has divided the cases or the charges into two categories — non-actionable and actionable. From my accounting, non-actionable charges are 58 involving more than a crore of rupees. So why and on what basis certain charges were categorised as non-actionable and who were involved in those charges? Were they non-actionable because of the character of the persons involved in them or because of some other criterion? It should be clarified by the Home Minister.

So far as actionable charges are concerned, I would request him to elaborate what actions have so far been taken in respect of the persons who have been named here, with or without any ulterior motive and who are the others. This should also be stated.

Regarding treasonable activities referred to by Dr. Ratnakar Pandey, Mr. Madam Bhatia and some other Members, I would submit that the Home Minister should not avoid the issue with innuendoes who acted against the national interest in some cases. What was the type of action and in what way was it inimical to national interest? Did it impinge on our defences at all It should be clearly stated by the Home Minister.Otherwise, he would be held responsible for derelicting in his onerous responsibilities.

Thank you.

SHRI SANTOSH BAGRODIA (Rajasthan): Mr. Vice-Chairman, Sir, I am happy that at least finally the Kudal Commission report has seen the light of the day. As all of us know, this is a very important report which has come out. In my opinion, the total amount involved is not very material. The important thing is whether some so-called important people have gone so low as to use the name of the Father of the Nation for their nefarious activities, financially and from security angle, under the influence of foreign hands. Without making a long speech, I would like to put a few specific questions to the hon. Home Minister. Sir, I would like to know whether at the time of hearing before the Commission, some individuals including Mr. Radhakrishna and others, did not cooperate. According to my information, Sir, some of the individuals refused to cooperate with the Kudal Commission. I would like to know who those individuals are and what kind of cooperation they did not extend to the Commission. Secondly, did Gandhi Peace Foundation and other associate voluntary agencies undertake work in borders, and also got them published?. Sir, I have been moving around the Burma border. Some of these organisations have been working on these borders. And their activities were very questionable. I would like to know the details about their activities, specially on the Burma border. Have the maps published by these voluntary agencies violated the security norms? I understand that these maps have been published without the permission of the Surveyor General of India. I would like to know specially, Sir, as to how many types of maps have been published and how these maps have specifically affected the security and the integrity of our country. Fourthly, Sir, did Gandhi Peace Foundation receive funds from foreign agencies having clandestine CIA funds? According to our information, the CIA have been extending financial help to many organisations in our country, including the Gandhi Peace Foundation. I would like to know all the details about this. Fifthly, Sir, is the Government examining the security angle involved in the activities of these agencies because, as I said earlier, it is not a monetary question alone it is also the question of the security of the country. I understand the total actionable cases

are 55. That is quite a large number. Can we get complete details of these cases? Sir, it is reported that some people have given Defence information. I would like to know who these people are and what kind of informatioon they have given and to whom they have given. Lastly, Sir, my hon. colleague, Shri Gurdas Das Gupta, has mentioned about the timing of the release of this Report. Does it mean that he concedes that this particular Report is going to help the ruling party?. Does it mean that the hon. Member concedes the charges in the Report and also that individuals involved are part of the Opposition and now they worried that their political future is completely doomed?

With these words, Sir, I thank you very much.

SHRI ANAND SHARMA (Himachal Pradesh): Mr. Vice-Chairman, Sir, the Home Minister's statement on the Kudal Commission Report is indeed very important. It exposes the clandestine activities of a few organisations which are recepients of funds not only from the Government of India but also from ceratin foreign sources.

Sir, a little while ago, two Members of this House, Shri Jaswant Singhji and Shri Gurupadaswamy — the Leader of the Opposition, have tried to mount an assault on the Kudal Commission attacking the person of Justice Kudal, (*Interruptions*) Listen. We have never interrupted him earlier. Mr. Gurupadaswamy spoke for half an hour and nobody from our side interrupted him. Please have some patience. (*Interruptions*). Sir, it is indeed strange to find the double standards, multistandards of the Members of the Opposition. There are occasions when they are too keen to discuss reports. There are occasions when they run away from discussions and debates. And there are occasions when a discuussion is there, a statement is made by the Government on certain findings of a Commission of Inquiry, they try to mount an attack on the report itself, not on any considerations of the merit of the findings but because the Opposition is feeling quite uncomfortable with these disclosures.

Sir, Shri Jaswant Singhji raised three points while talking about this particular Inquiry. He had said that the Commission, has become a Frankenstein monster. And similar was the objection from Shri Gurupadaswamy who asked why these Commissions of Inquiry are there? What purpose do they serve? I wish both of them were present in the House. But they have a habit, whenever they make such allegations, they move away. It does not lie in their mouth to call a commission a Frankenstein or even to question the constitution of a commission to probe into this matter. It was during their Government's time, during the misrule of the Janata Government that, commissions were set up to humiliate the person of the late Prime Minister, Smt. Indira Gandhi. It was a very sorry spectacle for the people of this country when a Cabinet ranking Minister, used to stand outside the Red Fort with an umbrella supervising the digging of the capsule in which the history of the nation was written. Isn't it strange that a Cabinet Minister used to be standing and that used to be the major activity of the Government? Here they have questioned the purpose of the inquiry and have also said that it is to harass and defame persons, who are famous, who are national leaders. I do not think that is the purpose of the inquiry. And if you have to say what purpose is served, I would say that one purpose is definitely served, and I congratulate the Government and the Home Minister for that, that we now know what are the activities of certain organisations, particularly the organisations funding these voluntary organisations, the foreign sources of funding, which, in fact, are acting in a manner detrimental to the interests of this nation. Is it wrong to object,

[Shri Anand Sharma]

if the sources giving funds to these organisations, are directly connected with certain security or intelligence agencies? We are not at all commenting about these individuals Mr. Gurupadaswamy was saying, what is wrong in voluntary organisations receiving money? I also say there is nothing wrong in voluntary organisations receiving money. But two things have to be gone into, one—for what purpose were the funds taken, and whether the funds were used for that purpose, and two, if the source is a foreign source, what are the antecedents of the foreign agency funding a voluntary organisation in India. This is very important. Here we are talking of AVARD, one of the four organisations which has been named and one of the major culprits in misusing the funds, in diverting the funds, in the falsification of accounts and also in preparing maps of certain sensitive areas as per the demands of the foreign agencies funding the AVARD. Now, how can you defend the AVARD for these acts. Initially the source of the funding was a conduit of the CIA. That was the Asia Foundation. And once the Government of India banned it in 1968 by an order saying that this is a CIA conduit, the AVARD has since then been funded by EZE—which is again supported by a security agency, and besides that organisation if we have to go into the list of foreign channels whether it is the USA, whether the various organisations that are there, these organisations have very queer names, and I am hearing these names for the first time.

SHRI JAGESH DESAI: These are front organisations.

SHRI ANAND SHARMA: Yes, these are all front organisations, as Mr. Jagesh Desai has very rightly said, and these organisations have been giving funds. During the Janata regime a decision was taken regarding the foreign funding of AVARD. Initially it used to be 32.2 per cent. It was raised by one stroke to 88 per cent. All the rules were waived and permission given for AVARD to receive funds directly from the Ford Foundation of the United States of America to the tune of a quarter million dollars. This is a very disturbing thing. What was the purpose? More than Rs. 100 crores have come in, and even funds from these dubious sources which should not have come into this country in the first place, have been used for purpose other than those for which clearance was obtained, the purposes earlier mentioned by these organisations. How can we be quiet if a voluntary organisation, receives money from foreign sources backed by the intelligence and security agencies of countries some of which do not want to see this country stable, strong and developing? And then funds are used in India in sensitive areas, in tribal areas, in the border belts, funds are used for political agitations! That is what I object to most. Funds were used for agitations which were organised in this country by the opposition parties, the books which were published, publication of their posters. And that is how they diverted the funds.

Sir, it is tragic that names of three organisations, two directly carrying the name of Gandhiji, and Sarva Seva Sangh, figure in this enquiry. These organisations should not be condemned, whether it is Gandhi Smarak Nidhi or Gandhi Peace Foundation, because these were very good organisations, noble organisations, wedded to the Gandhian principles. But these organisations were captured by scheming individuals and then misused for ulterior motives. There is nothing wrong with these organisations. You have to go into the history how they captured these organisations and the blatant misue is clear. It does not require any elaboration, that is what saddens me.

The manner in which the people looking after these organisations or managing these organisations have behaved, and if their activities are detrimental to the interests of the nation, why should not we expose them and condemn them, why should anyone defend them in the first place? Gurupadaswamyji was saying, Sir, that it is a malcious campaign; it is to malign. I wish if they could do some self-introspection when they talk of malicious campaigns when they talk of defamation, when they talk of slanderous campaign, as to what exactly they have been doing here; here is clear evidence, foolproof evidence and everything has been proved. Money has come in; records are there; diversion of funds is there; falsification and misuse is there and despite this the opposition talks of maligning, accuses the government of maligning its leaders. The same opposition maliciously maligns the most sensitive and important democratic institution in India, that is the institution of the Prime Minister, do they forget it that day after day, they have been mounting these assaults on the institution of the Prime Minister, carrying on the most malicious campaign against the person of the Prime Minister, without any iota of truth or evidence? And here when their leaders have been exposed, they condemn the very concept of the commissions of inquiry, and are not prepared to accept the findings!

Sir, these two statements today by two important leaders of the opposition, in fact, have left me a bit wiser about what happened today in the morning. I was quite intrigued why 5.00 P.M. why there was so much there was so much noise, slogan-shouting and pandemonium in the House today. Now, I have realised fully that it was a tactical diversion, to divert the people's attention, so that tomorrow's newspapers do not carry a full expose of their leaders, guilty of nefarious activities and receiving funds from dubious anti-Indian sources, but they carry in the headlines their drama in the House today, their slogan-shouting and all the noise they have made. They have deliberately done is because they knew that the report would be discussed today.

SHRI SATYA PRAKASH MALAVIYA: Mr. Sharma, it was not in the List of Business for today. This has come in the Supplementary List of Business.

SHRI ANAND SHARMA: You already knew. Please don't tell me that you were not aware of what was happening. All the newspapers carried the details of the Kudal Commission's report. Don't defend them. You are a very honest person. Why do you defend wrong people? (*Interruptions*) Sir, in the light of the Kudal Commission's findings, I have few specific questions to ask of the hon. Home Minister.

Firstly, what steps have been taken by the Government of India, in the light of the findings of the Kudal Commission, to prevent foreign money coming in for undesirable activities? Secondly, I would like to know whether any provision has been made, or, proposed to be made to screen the functionaries of voluntary organisations to weed out fake persons and cancel the registration of these organisations if they fail to do so. Will the voluntary organisations, which are recipients of funds from the Government of India as well as from foreign sources, be refused funds from the Government in the light of the commission's findings nature of the funds received, the source of these funds and the nature of activities indulged in by these organisations? Lastly, will the Government consider regulating the areas of operation of voluntary organisations, particularly, the voluntary organisations which are recipients of foreign funds, ban their activities and bar

[Shri Anand Sharma]

them from working in sensitive border areas, in the tribal areas and other areas which, in the view of the Government, may be considered sensitive? Thank you.

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY): Dr. Yelamanchili Sivaji. He is not here. Shri P. N. Sukul.

SHRI P. N. SUKUL: Mr. Vice-Chairman, Sir, the report of the Kudal Commission is a very sad exposure of the malfunctioning of some of our very important social institutions, especially those which are hallowed by the association of the name of Mahatma Gandhi with them. The report of the Kudal Commission is also a very sad commentary on the most unprincipled and unscrupulos behaviour of some of our very eminent leaders of political parties. Of course, when I saw the names of some of these leaders, I was, myself, shocked. But about some other leaders I knew beforehand, what they have done, how much money they had amassed, how corrupt they were during the Janata regime. Therefore, it did not come as a surprise to me about these leaders. But about some leaders, of course, I was shocked. I was taken aback. For example, Prof. Madhu Dandavate. His name is there .How could his name be there? I could never imagine. But about George Fernandes, I could very well imagine because, when he was the Industry Minister, I have personal knowledge, first hand money, from the J.K. group, from the information, as to who gave him Swadeshi group, both of Kanpur; lakhs of rupees. It was a matter of.. (*Interruptions*)

SHRI K. G. MAHESWARAPPA: You cannot make such an allegation.

SHRI P. N. SUKUL: Please sit down. I know.

SHRI K. G. MAHESWARAPPA: I also know.

SHRI P. N. SUKUL: You do not know.

SHRI K. G. MAHESWARAPPA: I know ho whe lives and how you live. Sir, he cannot make an allegation like this here.

SHRI SATYA PRAKASH MALAVIYA: Sir, he cannot make an allegation against a person who is not a Member of this House. He is not concerned with this.

SHRI P. N. SUKUL: His name has been mentioned in the report.

SHRI SATYA PRAKASH MALAVIYA: This is an allegation against Mr. George Fernandes who is not present and who cannot defend himself. This allegation does not concern this report. (*Interruptions*).

SHRI P. N. SUKUL: I have told you that I have the first-hand information. If any member wants to know or have that information, I can bring the man who gave him the money. (*Interruptions*).

AN HON. MEMBER: This cannot go on record.

PROF. C. LAKSHMANNA: (Andhra Pradesh): On a point of order.

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY): Mr. Sukul, you speak on the report. Do not bring in the names.

PROF. C. LAKSHMANNA: He has said that he has got first-hand information. The first-hand information or bringing any evidence becomes evidence only after it is laid on the Table of the House. Is he prepared for that? Unless that is done, it cannot be first-hand information, it by narrating hearsay stories. (*Interruptions*).

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY): Mr.

Sukul, confine yourself to the report. Don't go on challenging or taking names.

SHRI P. N. SUKUL: I am confining myself only to those names which have been mentioned in the report and about whom I know personally. That is why I am saying..

SHRI K. G. MAHESWARAPPA: What is that allegation?

PROF. C. LAKSHMANNA: It will not solve any problem.

SHRI P. N. SUKUL: Mr. Vice-Chairman, they must have also been knowing that when George Fernandes was the Industry Minister,**

SHRI K. G. MAHESWARAPPA:** **(*Interruptions*).

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY): Why bring in** others? Nobody knows whether **

SHRI K. G. MAHESWARAPPA:** I can take him to Bangalore.

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**I know the Congressmen, how they are living. I know the style of living of Mr. George Fernandes and the style of living of the Congressmen. Why talk of all these things? (*Interruptions*).

SHRI P. N. SUKUL: Some family member died.

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY): Mr. Sukul, don't bring in the name** or somebody else.

SHRI P. N. SUKUL: Some family member died. (*Interruptions*). At that time his wife was abroad. There was some foreign agency which arranged a chartered flight for her. (*Interruptions*).

SHRI K. G. MAHESWARAPPA:** You should not make such allegations. You would have been more happy if George Fernandes had died, I know.

SHRI P. N. SUKUL: You are defending such corrupt persons. (*Interruptions*).

[**The Deputy Chairman** in the Chair]

I wanted to know who had arranged that flight? (*Interruptions*).

SHRI K. G. MAHESWARAPPA: This is wrong.

PROF. C. LAKSHMANNA: On a point of order.

THE DEPUTY CHAIRMAN: I did not hear what was told by him. Let me hear what he said.

SHRI DIPEN GHOSH: The fact is that he was saying...

THE DEPUTY CHAIRMAN: Let me hear from him.

SHRI K. G. MAHESWARAPPA: The objection was raised by me.

THE DEPUTY CHAIRMAN: Let me hear what he said. If it is objectionable, I am there to look into it. Let me hear.

SHRI P. N. SUKUL: For the information of the Chair I will repeat..

SHRI K. G. MAHESWARAPPA: Since you want information, he said**

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THE DEPUTY CHAIRMAN: If you think that he made a mistake, let him make a mistake and I will correct it.

**Not recorded.

SHRI P. N. SUKUL: I said that some family member died.

SHRI K. G. MAHESWARAPPA: No, you said that** (*Interruptions*).

THE DEPUTY CHAIRMAN: That is not the way. Let me hear what he is saying.

SHRI DIPEN GHOSH: On a point of order.

उप सभापति : ठंडे दिल से सुनिए। Let me hear what he said. Then if you have any objection, you tell me so that nothing objectionable comes on record. Let me see what he said.

SHRI P. N. SUKUL: I only said that when Mr. George Fernandes was the Industry Minister, some family member of his died, his wife was abroad...

SHRI DIPEN GHOSH: On a point of order.

THE DEPUTY CHAIRMAN: Let him finish first.

SHRI P. N. SUKUL: One foreign agency arranged a chartered flight for her to and fro.

SHRI DIPEN GHOSH: He has already stated two sentences. On that I am on a point of order.

THE DEPUTY CHAIRMAN: What is your point of order?

SHRI DIPEN GHOSH: We are discussing or seeking clarifications on the Union Home Minister's statement made in connection with the Kudal Commission reports which have been laid on the Table. While seeking clarifications, a Member is entitled to refer to the statement of the Minister or to the original report of the Kudal Commission, if he has gone through it in the meantime. But he cannot make any reference to any hearsay report. He can make reference to the Kudal Commission's report or the facts which have been stated in the Kudal Commission Report. He is talking about some enquiry. First he said

But when Mr. Maheswarappa said then he referred to some relation having died, his wife being away and her coming back by a chartered flight arranged by a foreign agency. All this information, even if it is true or wrong, is not contained in the Kudal Commission Report. So naturally there are enough facts, enough information in the Kudal Commission Report itself to prove that gentlemen's involvement or non-involvement. So he should confine himself to that Report only. This is my point of order.

THE DEPUTY CHAIRMAN: Just a minute, please.

SHRI BUTA SINGH: Just for the information of my dear friend, Comrade Dipen Ghosh, I want to enlighten him that in the "Action Taken Report" which has been submitted to the House, one of the cases refers to Shri George Fernandes, the then Minister for Industries...

SHRI DIPEN GHOSH: All right, but not in connection with his wife staying away and bringing her to India by a chartered flight arranged by a voluntary organisation.

THE DEPUTY CHAIRMAN: Please don't get agitated. At least you listen to what he is saying. Just listen to him.

SHRI DIPEN GHOSH: Kudal Commission has submitted its report now. It was my party leader, Mr. Prakash Karat who had written a book which was published. That book contains more information than that is contained in the Kudal Commission Report. So don't try to enlighten me.

**Not recorded.

SHRI BUTA SINGH: The trouble is that the leaders in the Opposition seem to think that they are holier than the holy cow. When they are touched, they start springing up in their seats.

SHRI DIPEN GHOSH: Tell me, who was Diwakar? who was L.C. Jain? With whom they had connections?

SHRI BUTA SINGH: What I am saying is that Mr. Sukul is well within his right to refer to a person who has been indicated by the Kudal Commission Report.

SHRI DIPEN GHOSH: But you cannot report hearsay**

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THE DEPUTY CHAIRMAN: Now, please let me ask.... No, no. Professor you have many things to say. I want to ask Mr. Sukul what he said. (*Interruptions*)

SHRI P. N. SUKUL: I only wanted the Home Minister to enquire into it as to which foreign agency had funded the chartered flight.

THE DEPUTY CHAIRMAN: I have not permitted you, Professor. I will permit you when the time comes. Just a minute. Let me hear. I have not permitted you, please. I have not permitted you. Just one minute. Let me ask Mr. Sukul upon whom every one is pouncing what he did say. (*Interruptions*). The trouble started with Mr. Sukul.

SHRI K. G. MAHESWARAPPA: On a point of order.

THE DEPUTY CHAIRMAN: I am not allowing any point of order. No, no, Professor. आप बैठिए, राम अवधेश जी, कृपया सुन लीजिए (व्यवधान)

PROF. C. LAKSHMANNA: This is one single privilege which is enjoyed by the Members.

THE DEPUTY CHAIRMAN: This privilege should not be misused. No, you cannot get up on a point of order just like that until and unless I permit you... (*Interruptions*)...

SHRI K. G. MAHESWARAPPA: My point of order is with regard to what Mr. Sukul said... (*Interruptions*)...

THE DEPUTY CHAIRMAN: I will allow you in my own time.

PROF. C. LAKSHMANNA: It is with regard to what was said by the Home Minister. If a point of order is denied, then Member's privileges are not protected. If you take this away, how can you protect the Members? The whole purpose is defeated then.

SHRI P. N. SUKUL: You cannot abuse a privilege... (*Interruptions*)..

THE DEPUTY CHAIRMAN: I will allow you, Professor, I told you. But first let me deal with Mr. Sukul... (*Interruptions*)... Listen to me, Mr. Sukul said something and somebody else said something. To that the Home Minister referred. Let me go back to the origin. Then we will come back to the Home Minister... (*Interruptions*)...

SHRI DIPEN GHOSH: Mr. George Fernandes's* he will concede... (*Interruptions*)...

SHRI K. G. MAHESWARAPPA: It is a question of our privilege.

THE DEPUTY CHAIRMAN: I assure you, it won't go, I promise you, it won't go.

SHRI DIPEN GHOSH: While referring to Mr George Fernandes, *

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*Not recorded.

SHRI P. N. SUKUL: No, no, I corrected it. ... (*Interruptions*)...

THE DEPUTY CHAIRMAN: Honourable Members should understand that we are dealing with a serious matter. Let us not bring in people's mothers, fathers and sisters and let us discuss only the subject. Let me ask Mr. Sukul if he has passed that comment.

SHRI P. N. SUKUL: Madam, I only said that when he was the Industry Minister, some family member died, his wife was abroad and a foreign agency arranged her chartered flight to India to attend the funeral and go back.

THE DEPUTY CHAIRMAN: Do you want to ask a question?

SHRI P. N. SUKUL: Now I ask the Home Minister: Who arranged for that chartered flight?

THE DEPUTY CHAIRMAN: If he said that it will not come on record. Somebody else died... (*Interruptions*)

SHRI RAM AWADHESH SINGH: He made a false accusation. So, his statement should not be on the record... (*Interruptions*)...

SHRI K. G. MAHESWARAPPA: All these accusations should not go on record.

SHRI V. GOPALSAMY: They used Indian warplanes when our VVIP went to Lakshadweep. Will you make an inquiry into that?

SHRI P. N. SUKUL: Your wife went there? What happened?

SHRI V. GOPALSAMY: Should I repeat it?

THE DEPUTY CHAIRAMN: Please don't interrupt him. ... (*Interruptions*)...

SHRI V. GOPALSAMY: *

THE DEPUTY CHAIRMAN: This will not go on record. ... (*Interruptions*)... I would suggest, please... (*Interruptions*)...

SHRI DIPEN GHOSH: Is this not a holier-than-thou attitude?

THE DEPUTY CHAIRMAN: Mr. Gopalsamy, we are discussing the report of the Kudal Commission, and Mr. George Fernandes's name was referred to. We are confining only to that and not going beyond that. So, don't talk beyond that.

SHRI V. GOPALSAMY: I did not mention anybody's name.

SHRI DIPEN GHOSH: We are discussing the Kudal Commission's report and the activities of the Gandhi Peace Foundation—about one Gandhi. He is talking about another Gandhi. There is one relationship.

THE DEPUTY CHAIRMAN: Don't make fun of a serious question.

SHRI N. E. BALARAM: I have a point, Madam.

THE DEPUTY CHAIRMAN: What is that?

SHRI N. E. BALARAM: He tried to *

That is the point... (*Interruptions*)

SHRI P. N. SUKUL: I have withdrawn that.

THE DEPUTY CHAIRMAN: He has withdrawn it. .. (*Interruptions*)..

SHRI P. N. SUKUL: Mr. Morarji Desai announced that Mr. Jayaprakash Narayan was dead when he was alive. Such things do happen.

THE DEPUTY CHAIRMAN: Prof. Lakshmanna wants to seek a clarification from the Home Minister.

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*Not recorded.

PROF. C. LAKSHMANNA: Madam, while intervening in the speech of Mr. Sukul, the Home Minister was kind enough to tell this august House that Mr. George Fernandes's name occurs in the Kudal Commission's report and that the Commission has indicted him and so on and so forth. He is the Home Minister of this country. I would like to seek a clarification from him through you.

THE DEPUTY CHAIRMAN: No, not now.

PROF. C. LAKSHMANNA: Not about that. I am on this point only. I would like to know what action as the Home Minister of this great country, he has initiated if he has found that some people have been indicted by the Kudal Commission.

SHRI BUTA SINGH: I will tell you when I speak.

PROF. C. LAKSHMANNA: What is the point in speaking? If some action has been taken, why is it that the country has been kept in dark all this period about the action that has been taken against somebody who had been indicted? If action has not been taken, what are the reasons?

THE DEPUTY CHAIRMAN: Professor, this is no point of order. You cannot ask just like that. For seeking clarifications there are names which were given right in the morning. You get up. You give me your name. I will allow you to ask more questions, and the Home Minister should answer all the questions.

SHRI V. GOPALSAMY: You are gracious.

THE DEPUTY CHAIRMAN: Chair must be gracious.

SHRI P. N. SUKUL: Madam, though not surprising, it is most regrettable....

SHRI BUTA SINGH: Most obediently I will reply when my turn comes.

SHRI P. N. SUKUL: ..That some of the Members of the ruling party during the Janata regime should have chosen to fall a prey to the diabolical designs of foreign powers who wanted to create chaotic conditions in the country, who wanted to destabilise this country. Just to satisfy their lust for money and lust for power they started having foreign funds and started serving the purpose of those from whom they were getting funds, that is, of creating chaos and of destabilising India. During the Janata regime alone they collected Rs. 100 crores just to denigrate Indira Gandhi and destabilise this country.

(*Interruptions*)

SHRI DIPEN GHOSH: Another Gandhi is being brought.

SHRI RAM AWADHESH SINGH: Is it in the Kudal Commission Report?

SHRI V. GOPALSAMY: What about Rs. 200 crores taken from Sweden to destabilise another country?

उपसभापति : सुकुल जी, अब आप अपना भाषण खत्म कीजिए।

SHRI P. N. SUKUL: How can I finish, Madam? I am being disturbed.

SHRI RAM AWADHESH SINGH: Is it there in the Kudal Commission Report? What is he referring to?

श्री पशुपति नाथ सुकुल : आप मेरी बात सुनिए ...(व्यवधान) आप रिपोर्ट पढ़िए ।...(व्यवधान)

SHRI P. N. SUKUL: Madam, the Commission itself has said in the Report that in most of the 180 cases it investigated it found that a large chunk of foreign funds went into the hands of unscrupulous persons who used it for various disruptive and clandestine activities, for creating chaos and destabilisation in the country. I was referring to that only. Our leaders played into the hands of foreign powers who wanted to des-

[Shri P. N. Sukul]

tabilise the country when they themselves were in power. Now, suppose again if they come to power, what will they do? That is the question. They are still having funds from foreign powers, from foreign agencies.

SHRI DIPEN GHOSH: Mr. Sukul, the people are more intelligent than you. Our voters are more intelligent than you. They will judge.

SHRI P. N. SUKUL: Yes. That will be proven in a big way. Now, Madam, I seek my clarifications from the Home Minister. Number one, what have been the foreign links and foreign sources of each of the political leaders involved? Will the Government lay a statement on this so that the people of the country know about it?

SHRI RAM AWADHESH SINGH: Including the present ruling party members. Also including the period before 1977.

उपसभापति : अब आप बैठ जाइए । I would not call your name if you interrupt.

SHRI P. N. SUKUL: Secondly, what action is being taken, is being contemplated to severe their links from foreign sources?

Number three, what action may be taken against these leaders who used foreign money and who became instruments of some foreign powers for diabolical designs, to denigrate Indiraji and to destabilise the country? And what does the Government propose to do to ensure that these social organisations carrying the name of Gandhiji, are not able to use foreign funds in the future so that they do not indulge in the same nefarious activities once again?

Lastly, I would like to know from the Home Minister how much time the CBI is going to take to finalise its report in the matter.

Thank you very much.

DR. YELAMANCHILI SIVAJI (Andhra Pradesh): Madam, I would like to know through you why this inordinate delay took place when the Commission submitted its report as long as two and a half years ago? What did the Government do in the mean time? What action has been taken by the Government in this regard? Did the Commission in its report suggest certain things? The Commission had said that there were about 210 cases at the time of winding up the Commission and still they are pending. What is the procedure evolved by the Government to dispose of the undisposed cases when the Commission was wound up? Did they evolved any procedure to further investigate or to do whatever they wanted to? Is there any procedure for it? Is there any proposal under the consideration of the Government to monitor all the agencies which are getting foreign funds? As our senior colleague, Mr. Gurupadaswamy mentioned when hundreds of thousands of judges are there in the High Courts and retired judges are there why a person like Justice Kudal with some* background was appointed to enquire into this vital issue? When Justice Shah could produce a voluminous report within two months, why Justice Kudal took about five years to produce this report? You know Justice Shah Commission Report was proscribed by the Government...

THE DEPUTY CHAIRMAN: Mr. Sivaji, I don't know whether I heard you correctly. You used* about Justice Kudal. Don't use this word, because we will be denigrating a judge.

SHRI RAM AWADHESH SINGH: Why?

उपसभापति : आप न बोलिए । आपको कुछ पता नहीं कि आप चाहते क्या हैं । There are certain niceties in this world which we should not give up.

*Not recorded.

कुछ अच्छाइयां जो हमारे में हैं हैं, उनको कायम रहने दें, तो ज्यादा अच्छा है । अगर किसी का नाम इज्जत से लेना है, तो कुछ बुराई नहीं है । अगर कोई शिकायत है, तो कुछ डेनिग्रेट करके मत कहिए । यह कहिए कि हमको वह आदमी पसंद नहीं है ।

But don't denigrate anyone. Please. I would not allow.

PROF. C. LAKHMANNA: He is substituting it by another word.

THE DEPUTY CHAIRMAN: You substitute it by another word, but don't use this word.

DR. YELAMANCHILI SIVAJI: 'Not so illustrious background'. Justice Kudal was the President of Rajasthan Bharat Sevak Samaj, which drew some loans from the Government of Rajasthan and which did not pay back. An inquiry was also instituted during 1977. He was not Justice at that time I suppose. After joining the Congress party, he was appointed as a judge or something like that.

SHRI SUBRAMANIAN SWAMY: This is the same status as Salve calling Chaturvedi as Charlie.

THE DEPUTY CHAIRMAN: That is wrong. Nobody should say bad things. Let Rajya Sabha maintain its dignity.

DR. YELAMANCHILI SIVAJI: I would like to know from the hon. Minister when such illustrious judges in thousands are there in this country, why such a person with not so illustrious a record was appointed to go into the working of the Gandhi Peace Foundation and other things.

SHRI V. NARAYANASAMY (Pondicherry): When the hon. Home Minister was making the statement in the House, I saw the criticism from the Opposition. When he referred to the amount misappropriated by those voluntary agencies and when he went into the details and said the CBI inquiry says that the figure may exceed even Rs. 100 rcores, the Opposition feels that that amount is very little for them because in the States where they are in power, they have not seen only Rs. 10 crores or Rs. 5 crores, they have seen Rs. 100 crores in their pockets. Therefore, Rs. 100 crores is nothing for them. Madam, the report gave startling details of the connections of the politicians and the persons in public life and also the institutions which have been called voluntary institutions have been used for the purpose of nefarious activities. Madam, the report says that these voluntary organisations have completely forgotten the objectives for which they have been set up and, in fact, they have become hot-bed of politics and they have involved themselves in political activities, anti-national and anti-Indian activities. Madam, My fear is that these organisations have their links with CIA because lot of funds have come from the United States. I would like to say that some of the voluntary organisations working in rural areas got funds from foreign countries for the purpose of developing the tribal areas for the purpose of developing a particualr area inhabited by downtrodden people who did not have basic amenities. But these organisations have completely forgotten the objectives for which they have been formed and they diverted the funds for their own political ends. Some of the prominent political leaders have come to light and they have used these funds for the purpose of projecting their image, misusing and diverting the funds for their own purpose. Not only that, these organisations have parted with some secret documents and also some important data with regard to the geographical situation of the country. It is not only anti-national but subverting the national development. The great leaders who have been figuring in this report are none but the Janata Dal leaders. The present day Janata Dal leaders have been the prominent figures given in the Kudal Commission's report. The Commission has clearly stated that these organisations

[Shri V. Narayanasamy]

have completely forgotten the objectives and they have taken the funds for the purpose of developing their political activities in various States and creating not only communal disharmony but creating law and order problem. The communal conflicts and the religious fundamentalism, all these things have been developed by these organisations.

Madam, I want to quote two important things from the Action Taken Report, Annexure—I:

> "Ford Foundation had made a grant of $ 2,50,000 to AVARD for the project entitled "Strengthening of Infrastructure of Voluntary agencies in Rural Development. The AVARD misutilised and mis-directed this sum thus violating the provisions of Foreign Contribution (Regulation) Act."

Then, Madam, literature has been published against our Indian interests by one of the voluntary organisations in Kerala, I quote:

> "Kerala Gandhi Smarak Nidhi mis-used its funds for publishing a book entitled "Sampurna viplavam" "Total Revolution". This book instigated an open revolt against the democratically elected Government."

Madam, through these writings they have been trying to arouse the sentiments of the people against the national interest. These are serious activities which have been going on during the Janata period and the then Janata Government encouraged these things. Therefore, I would like to know from the hon. Home Minister three imporant aspects: Even some of the voluntary organisations today are indulging in such activities. The irregularities which have been brought out by the Kudal Commission report are only a fraction of the matter. Some agencies are receiving funds here and they have been using those funds for subversive and anti-national activities in the border areas of our country. The major part of the money is being used there to create tension in the border areas for the purpose of dividing this country. It is a very serious matter and I request the Home Minister to probe into this matter. Apart from this, the other persons who are connected with the anti-national activities and the organisations which are still there and which are acting against the interests of this country, should also be brought to book. I would like to know about these funds which have been misused, whether the Government is trying to bring a legislation to regulate, monitor and check up the funds which are being received from foreign countries from various persons. It is also brought to light that in the name of some bogus organisations in foreign countries, funds are coming here. The other day, I told the Home Minister in the Consultative Committee meeting that in the name of sending Indian children abroad, foreign money is being brought here. It is a clear case of selling the Indian children. Those activities are also going on. Those voluntary organisations receive large chunks of money from foreigners. Therefore, in respect of regulating these funds, is the Government trying to bring any legislation? Madam, about 108 cases have been considered in the Kudal Commission report and most of the cases have been given to the CBI for investigation. I would like to know how long the CBI will take for this because the Kudal Commission report did not confine itself to the voluntary organisations which have been covered in this report. Apart from that the prominent political leaders who have been indicted by the Kudal Commission report, what further action the Government is going to take about them? I would like to know from the hon. Minister.

श्री राम अवधेश सिंह : उपसभापति महोदया, मैं समझता हूं कि ऐसे वक्त में दोनों पक्षों के सदस्यों को पार्टी से उठकर बहस करनी चाहिए और मैं चाहता हूं कि सचमुच इस विषय पर पार्टी से ऊपर उठकर सरकारी पक्ष और प्रतिपक्ष के हिसाब से नहीं बोलना चाहिए । लेकिन यहां जो बहस हुई, तीन घंटे से मैं सुन रहा हूं, उसमें यही कोशिश रही है खासकर सत्ता पक्ष की ओर से और कुछ इधर से भी कि बात को थोड़ा तोड़-मरोड़कर कहा जाये ।

महोदया, मैं ज्यादा डिटेल में गए हुए एक-दो सवाल पूछना चाहता हूं । इसमें लिखा है कि छः महीने के अंदर कमीशन को रिपोर्ट देनी थी । तो जब यह छः महीने का समय सरकार ने तय किया होगा तो निश्चित ही समझा होगा कि बहुत कम टर्म्स आफ रिफरेंस है इसलिए समय कम लगेगा । लेकिन इसे 5-6 साल तक क्यों बढ़ाया गया जबकि मामला इतना छोटा है । दूसरे कमीशन की भी बड़ी-बड़ी रिपोर्टस आयीं--मंडल आयोग की रिपोर्ट दो ढाई साल के अन्दर काका कालेलकर की रिपोर्ट दो-ढाई साल के अंदर आयी । . . . (**व्यवधान**) . . . मैं कह रहा हूं कि बड़ी-बड़ी रिपोर्टस डेढ़-दो साल के अंदर आयीं, लेकिन यह इतनी छोटी रिपोर्ट 5 साल तक क्यों सरकती रही ? इसका कारण यह है कि जानबूझकर कमीशन के चैयरमैन को जिसे कि कबिनेट रैंक की सुविधा प्राप्त होती है, वह सुविधा मिलती रहे और वह सत्ता पक्ष कांग्रेस पार्टी का वर्कर और नेता रहे ताकि उनको एक मौका दिया जाए और उस मौके का नाजाइज लाभ लिया जाए ।

मान्यवर, महोदया, मैं इसमें यह पूछना चाहता हूं कि जो रिपोर्ट पहली, दूसरी और तीसरी आई 4 दिसम्बर, 1985 और 7 मई, 1986 को तो उस रिपोर्ट पर क्या कार्रवाई हुई ? यह मैं माननीय मंत्री जी से जानना चाहता हूं कि जो रिपोर्ट पेश हो चुकी है, उस पर कोई कार्रवाई हुई है या नहीं और जब टर्म्स आफ रिफरेंस दिया जा रहा था इस कमीशन को तो केवल 1977 से 1979 के बीच की अवधि का दिया गया था जब से यह संस्थाएं हैं ? संस्था कोई एकाएक नहीं बिगड़ती है, संस्था में करप्शन एकाएक नहीं आ जाता है, उसमें हो सकता है कि पहले से भी करप्शन आया होगा । महोदया, तो सरकार की नीति पर शक इसलिए भी होता है कि . . . (**व्यवधान**) . . .

श्री संयद सिब्ते रजी (उत्तर प्रदेश) : यकायक भी होता है जनता पार्टी में . . . (**व्यवधान**) . . .

श्री राम अवधेश सिंह : क्या सरकार ने यह कोशिश की ईमानदारी से कि पांच साल पहले, 7-7 से पहले या दो साल पहले भी टर्म्स आफ रिफरेंस में रखा कि इन संस्थाओं का कार्यकाल कैसा रहा, उनकी कार्यवाही कैसी रही ? क्या यह रखा गया और अगर नहीं रखा गया तो इसका कारण क्या है ? महोदया, यह पांच बरस जो लगे तो इसके बाद 31 जनवरी, 1987 को फाइनल रिपोर्ट आ गई--चौथी, पांचवां, छठी और फाइनल तो दो बरस सात महीने तक सरकार आखिर क्यों सोती रही ? दो बरस सात महीने पहले इस रिपोर्ट पर कार्यवाई के लिए क्यों नहीं सरकार आई ? आज जो सरकार इतनी संगीन है, उन्हें लगता है कि कोई सपना देखा है कि आज यह भयानक अपराध हो गया । जब यह रिपोर्ट आई, उस समय भी सरकार को चाहिए था कि इस रिपोर्ट के बारे में एक्शन के लिए , कार्यवाई के लिए रखे और सदन में बहस कराए ।

महोदया, जब ठक्कर नटराजन कमीशन की रिपोर्ट आई तो उसे दो-तीन महीने भी नहीं लगे कि सदन में उसकी पेश किया गया , उसपर बहस की गई । क्योंकि ठक्कर नटराजन कमीशन की रिपोर्ट से लगता था सरकार को कि हम अपोजिशन को, प्रतिपक्ष के एक नेता को, विश्वनाथ प्रताप सिंह को, हम लपेट लेंगे, उसको दोषी साबित करा देंगे, इसलिए यह दो-तीन महीने के अंदर ही पेश हो गई और इसमें दो बरस सात महीने क्यों लगे ? इसलिए लगता है कि, माननीय मंत्री जी, आप ही को मैं कह रहा हूं . . . (**व्यवधान**) . . .

उप सभापति : आप मेरे जरिए कहिए, मैं सुन रही हूं । . . . (**व्यवधान**) . . .

श्री राम अवधेश सिंह : आपके जरिए मैं पूछना चाहता हूं मंत्री जी से कि जब ठक्कर नटराजन कमीशन की रिपोर्ट दो-तीन महीने के अन्दर पेश कर सकते हैं तो फिर इस कमीशन की रिपोर्ट को यहां रखने में क्यों देर हुई ?

गुरुपदस्वामी जी ने जो बैकग्राउंड की बात कही है कमीशन के चेयरमैन के बारे में, मैं उसको दोहराना नहीं चाहता लेकिन उसको मैं समर्थन देना चाहता हूं कि उस बैकग्राउन्ड में कोई अध्यक्ष निष्पक्ष नहीं हो सकता । इस सरकार की सबसे बड़ी खूबी यही है कि पिछले पांच साल में राजीव गांधी ने कोई भी कमीशन हो उसको बेनामी कर दिया । ऐसे स्तर का कमीशन बहाल किया और यह सी० ए० जी० की रिपोर्ट को बेमानी कर दिया और जो ज्वाइंट पार्लियामेंटरी कमेटी की रिपोर्ट है उसका अवमूल्यन कर दिया और हमको लग रहा है कि इस कमीशन की रिपोर्ट का भी उन्होंने अवमूल्यन कर दिया और यह पालिटिकल ताक में थे, राजनैतिक ताक में थे कि कब वह अवसर आएगा कि प्रतिपक्ष के लोगों को इसमें हम समेटें । मैं चाहता हूं महोदया, कि यह सरकार इस बात की जांच कराए कि यह चार संस्थाएं जो है, इन संस्थाओं की कार्रवाई की जांच पांच साल पहले से करवायें । उसमें सम्मिलित जो लोग हों उनको भी सदन के सामने लायें और उसके बाद जो भी उचित कार्यवाही की जाए वह हमको बताई जाए . . .

उपसभापति : लोगों को नहीं ला सकते, नाम लायें। लोगों को सदन के सामने नहीं लाया जाता है . . .

श्री राम अवधेश सिंह : वही तो हुआ, नाम ले आएं . . .

श्री बूटा सिंह : महोदया, मैं माननीय मेंबर साहब के लिए, स्पष्ट कर देना चाहता हूं कि कोई कार्यविधि नहीं थी कमीशन के सामने कि सिर्फ 1977 से लेकर 1980 तक ही देखें. बाकायदा उस संगठन की जितनी भी बातें हैं शुरू से लेकर उनकी जांच करने के लिए उनको कहा गया था । दो तीन साल की बात नहीं थी । कहां से यह इंप्रेशन आपको चला गया ? . . .

श्री राम अवधेश सिंह : यह तो आपने लिखा है कि 31 जनवरी, 1987 को रिपोर्ट पेश की गई . . . (**व्यवधान**)

श्री बूटा सिंह : वह तो जिस वक्त रिपोर्ट दे वह लास्ट डेट थी । उनकी कार्यविधि सीमित नहीं थी कि इसी पीरियड को देखेंगे । उनको कहा गया था कि इसके ऐकाउंट्स की पूरी जांच करें। कोई टाइम नहीं रखा गया था कि सिर्फ उस पीरियड की ही करेंगे जिस वक्त दुर्भाग्य से जनता पार्टी इस देश में राज कर रही थी . . .

ठाकुर लालसाल सिंह (मध्य प्रदेश) : टर्म्स आफ रेफरेंस में लिखा गया था कि जो भी इस संस्थान के एकाउंट्स है उनकी पूरी जांच की जाए . . . (**व्यवधान**)

श्री राम अवधेश सिंह : चेयरमैन साहब ने क्यों उसको कंफाइन किया तीन साल के लिए ?

श्री पशुपति नाथ सुकुल : रिपोर्ट के अंदर भी देखिए . . . (**व्यवधान**)

श्री राम अवधेश सिंह : यह तो मंत्री जी को जानकारी है तो आन दि फ्लोर आफ दि हाउस बताये कि 1971, 1972 और 1973 की रिपोर्ट इसमें है ?

उपसभापति : राम अवधेश सिंह जी, वह हाउस के टैबल पर रखी है रिपोर्ट उसको पढ़ लें तो उसमें पता लगेगा कि टर्म्स आफ रेफरेंस क्या थी ?

श्री राम अवधेश सिंह : मैं यह जानना चाहता था कि इस पर तो पूरी बहस होनी चाहिए । आपको पूरी बहस कराने के लिए सदन के सामने आना चाहिए। एक कागज तीन पन्ने का छाप दिया, उस पर हम लोग बहस कर रहे हैं . . .

उपसभापति : बहस तो आप कर रहे हैं । आप सवाल पूछिए, क्लैरिफिकेशन मांग लीजिए ।

PROF. C. LAKSHMANNA: He is honest enough to say he has not read it. Other Members have not read it but they are claiming to have read it.

श्री सैयद सिब्ते रजी : यह हाउस से भाग जायेंगे । यदि बहस करनी होगी तो बहस का नाम सुनकर भाग जायेंगे ।

PROF. C. LAKSHMANNA: Every Member is capable of discussing. This Member has descended in this House and he has to teach lessons. And it is a tragedy that Members have to take counsel from this Member and talk about discussions.

SHRI SYED SIBTEY RAZI: Why are you taking only the comics in it?

उपसभापति : जल्दी से आप सवाल कीजिए, 6 बज रहे हैं, मेरे पास तीन चार नाम और भी हैं ...

श्री बूटा सिंह : मैं कहूंगा कि आप रिपोर्ट को पढ़िए, फिर इसमें हिस्सा लीजिए । हमने यह निर्णय लिया है कि इस पर पूरी बहस हो ।

श्री राम अवधेश सिंह : मैं यह जानना चाहता हूं मंत्री जी से कि विदेशी संस्थाओं से जो पैसे आते हैं उनके संबंध में होम अफेयर्स की कंसल्टेटिव कमेटी में माननीय गृह मंत्री जी ने बताया था और कुछ संस्थाओं के नाम भी बताए थे कि इतनी संस्थाओं को करीब एक सौ करोड़ से ज्यादा पैसा मिलता है । तो मैं जानना चाहता हूं कि यह सदन के रेकार्ड में आए कि कितनी संस्थायें भारत में हैं जिनको विदेशों से एजुकेशन प्रचार के नाम पर या अन्य सोशल वर्क करने के लिए नाम पर पैसे मिलते हैं ? उनका उपयोग क्या होता है ? उनके उपयोग के बारे में क्या सरकार के पास कोई मशीनरी है जो उन पैसों के सही उपयोग या दुरुपयोग के बारे में जांच कर सके ? अगर यह नहीं होगा तो विदेश से जो पैसा आएगा उसमें से बहुत से पैसों का दुरुपयोग होगा ही । बहुत सा विदेशी पैसा इसीलिए आता है कि यहां देश में डिस्टेबिलिटी हो, जानबूझ कर खराब रास्ते पर लगाया जाता है । मैं चाहता हूं कि इस पर सरकार को कड़ी नजर रखनी चाहिए और विदेश से जो पैसा आए उसका हिसाब आपको गृह मंत्रालय की तरफ से रखना चाहिए ।

दूसरा प्रश्न आता है देश का पैसा विदेशी उद्योगपतियों को और व्यापारियों को भेजा जाता है ज्यादा कीमत दे कर और फिर वह कमीशन के जरिए या तो चंदे के रूप में या किसी और रूप में होकर आता है । अभी हमारे यहां जैसे इस देश के पैसे के बारे में चिंता है, विदेशी पैसे के बारे में चिंता है उसी तरह हम को इस बात की भी चिंता है कि देश का पैसा विदेश जाकर फिर घूम कर न आए ? घूम कर वह पैसा आएगा तो उससे भी देश का नुकसान होगा । हमारा पैसा जो विदेशों में जाता है सस्ता सामान बेचकर या मंहगा सामान खरीद कर उसके जरिए भी इस देश के गरीबों के पसीने का पैसा जाता है । स्टील मार्डनाइजेशन के बारे में आज जो हो रहा है मैं बताना चाहता हूं कि स्टील मार्डनाइजेशन के लिए 10 हजार करोड़ रुपया जा रहा है (व्यवधान)

उप-सभापति : कुदाल कमीशन का स्टील मार्डनाइजेशन से कोई ताल्लुक नहीं है । दूर का भी ताल्लुक नहीं है फिर उसको बीच में लाना ठीक नहीं है ।

श्री राम अवधेश सिंह : स्टील मार्डनाइजेशन के बहाने देश का पैसा जा रहा है और फिर घूम कर आएगा । वह दूसरे तरीकों से इस्टेब्लिश होगा ।

उपसभापति : आप अपनी हद से आगे बढ़ रहे हैं । सीमा में रहिए ।

श्री राम अवधेश सिंह : आप इस बात से सहमत हैं या नहीं कि देश का पैसा विदेश जाकर फिर घूम कर आए ?

उपसभापति : मैं इस बात से सहमत नहीं हूं कि यह चीज इस समय डिसकस की जाए । इसको डिसकस करने के लिए दूसरा समय लीजिए । अभी मत लीजिए ।

श्री राम अवधेश सिंह : मैं इसको छोड देता हूं । इसमें मैं केवल यह निवेदन करना चाहता हूं कि विदेश से जो पैसा आए वह यहां की राजनीति को, यहां की अर्थ व्यवस्था को, यहां का समाज व्यवस्था को खराब न करे । विदेश से पैसा सीधा आए । यहां का पैसा वहां जाकर घूम कर आना खराब है । इस पर गृह मंत्री जी को नजर रखनी चाहिए और जैसा कि हमारा काम ढाई हजार करोड़ रुपए में होता है दस हजार करोड में हम करते हैं बाहर से पैसा मंगा कर यह भारी गम्भीर मामला है । यह जो अफसर कर रहे हैं स्टील विभाग के उनके खिलाफ सख्त कार्रवाई करनी चाहिए । जो मंत्री इसमें इन्वाल्व हों उनके खिलाफ भी कार्रवाई करनी चाहिए।

उपसभापति : जो विषय हाउस के सामने इस वक्त है कृपया आप उसी पर अपने विचार दीजिए । दूसरी बातें मत कीजिए ।

श्री राम अवधेश सिंह : मैं उदाहरण के रूप में दे रहा हूं ...

THE DEPUTY CHAIRMAN: It will not go on record. मैंने आपको बहुत गम्भीरपूर्वक यह कहा कि आप कुदाल कमीशन पर बोलिए । आपका टाइम खत्म हो गया । आपने सवाल पूछ लिए हैं । अब आप बैठ जाइये । I have to call the other Members.

श्री राम अवधेश सिंह : एक सवाल और पूछना चाहता हूं कि यह कमीशन नियुक्त किया गया तो सरकार को क्या एकाएक रात में सपना आया कि केवल 77 से 80 के बीच में इन चार संस्थाओं ने घपला किया है ?

उपसभापति : यह भी आप रिपीट कर रहे हैं । रिपीट मत कीजिए ।

श्री राम अवधेश सिंह : सपना क्यों आया ? अगर ईमानदार होते और इन संस्थाओं के कुकृत्यों की जांच कराने की मंशा होती तो सरकार सचमुच 5 साल पहले और पांच साल बाद की भी करती ।

उपसभापति : आपने कह दिया अब आप बैठ जाइये ।

श्री धर्मपाल (जम्मू और काश्मीर) : उपसभापति महोदया, मुझे विरोधी पक्ष के सदस्यों की चिन्ता समझ में आती है । कल सदन के पटल पर कुदाल कमीशन की रिपोर्ट रखी गई और आज सदन में होम मिनिस्टर साहब ने बयान दिया । उससे ही पता चलता है कि विरोध पक्ष के बड़े-बड़े नेता और जनता दल के नेता जो वेल्ल बेस्ड पोलिटिक्स की बात करते हैं, उनके नाम हमने देखें हैं । उन; श्री मधु दण्डवते और उनकी धर्मपत्नी, श्री जार्ज फर्नांडिस; श्री कौशिक और श्री रवि राय जो मंत्री रह चुके हैं, जनता सरकार में मंत्री रह चुके हैं । हम यह देखते हैं कि गांधी जी के नाम पर जो संस्थायें यहां बनीं उनके पास किस तरह से विदेशी एजेंसियों से पैसा भारत में आया । किस गर्ज के लिए आया कि ट्राइबल एरियाज ... (व्यवधान)

THE DEPUTY CHAIRMAN: Mr. Dharam Pal, I want to interrupt you for a minute.

I want to request hon. Members who are here — kindly tell other Members also — that when they leave the House they should switch of their hearing aids, because there has since morning been a disturbance in this House and we cannot hear properly. So kindly do the needful.

The Secretariat has also made this request in the Bulletin. I would re-

quest all of you. Kindly tell those also who are not here now.

SHRI SYED SIBTEY RAZI: I will tell everybody. (*Interruptions*)

श्री धर्मपाल: जो भी ट्राइब्ल एरियाज में और बार्डर एरियाज में भारत के बार्डर्स हैं, बर्मा, चीन और तिब्बत से लगते हैं उनमें इनका आपरेशन होता रहा। यह मांग रही कि जिन्होंने धन दिया उनकी तरफ से कि इनका जो सर्वे और डाटा है वह उन्हें दिया जाय और बड़े-बड़े नक्शे दिये जायें। ये नक्शे भारत के बार्डर एरियाज के जैसे बर्मा, चीन और तिब्बत के साथ जो एरियाज हैं उनके नक्शे बने और वे 30 के करीब बने। जब कमीशन के सामने सर्वेअर जनरल और डिफेन्स के लोग आये तो उन्होंने कहा कि इन नक्शों का दुश्मन इस्तेमाल कर सकता है क्योंकि ये सेंसिटिव एरिया के नक्शे हैं और हमारे खिलाफ इस्तेमाल हो सकते हैं। इसके अलावा यह भी हैरानी की बात है कि एक एजेंसी ने जो सरदार सरोवर प्रोजेक्ट गुजरात में बन रही थी उसके बारे में वर्ल्ड बैंक से यह कहा कि भारत को इसके लिए मदद न की जाय क्योंकि इससे जो लोग उखड़ेंगे, गुजरात सरकार उनको पूरा मुआवजा नहीं दे सकेगी। इसके अलावा वर्ल्ड लेबर आर्गनाइजेशन जो यू.एस.ए. का है उसने केरल में एक संस्था चल रही थी उसको चार करोड़ रुपये दिये जिन्होंने लिख दिया कि केरल में चर्च और मंदिर लूटे जा रहे हैं। उनको पैसा दिया गया। विदेशी एजेंसियों से पैसा यहां आता रहा और देश की एकता और अखंडता को तोड़ने के लिए इस्तेमाल होता रहा और हमारे देश के जो सीक्रेटस हैं, चाहे वे नक्शे हों या मेप्स हों, आफिसियल सीक्रेट्स हों उनका इस्तेमाल किया। एक संस्था ने तो जो प्राइवेट फर्म थी उसने एरियल सर्वे भी किया और सेंसिटिव डाटा उनको दिया।

मैं यह भी अर्ज करना चाहता हूं कि इस कमीशन की रिपोर्ट आने से पहले भी इस देश में यह धारणा थी कि विदेशी एजेंसियां जो पैसा यहां भेजती हैं उसका अमूमन संबंध सी.आई.ए. से है और जो पैसा आता है वह देश की एकता और अखंडता को तोड़ने के लिए होता है। इसी तरह से मेरी सेंसिटिव रियासत जम्मू-काश्मीर के बारे में रिपोर्ट है कि वहां विदेशों से पैसा आता है जमायते इस्लामी जैसी संस्थाओं के लिए, जो न सेकुलरिज्म में यकीन करती हैं और न ही जमूरियत में यकीन करती हैं। उनकी जो स्टूडेंट विंग है... (व्यवधान)

PROF. C. LAKSHMANNA: Madam the statement is about Kudal Commission. And he is talking of ...

THE DEPUTY CHAIRMAN: He is talking about foreign money ... (*Interruptions*) From other institutions. (*Interruptions*)

SHRI DHARAM PAL: I am talking of foreign money. (*Interruptions*)

PROF. C. LAKSHMANNA: Madam, when Mr. Ram Awadesh wanted to explain, you said that it had to be within the parameters of Kudal Commission's report.

THE DEPUTY CHAIRMAN: You cannot compare steel modernisation with foreign money which is coming in a sensitive State like Kashmir. It is a very serious matter. He is makng a reference to it.

PROF. C. LAKSHMANNA: This House is now seeking clarifications on the report of Kudal Commission. It is not the question whether steel modernisation is sensitive or Kashmir is sensitive.

THE DEPUTY CHAIRMAN: Steel modernisation does not come under it, Professor.

(*Interruptions*)

ठाकुर जगत पाल सिंह: यह बहुत ही चिंतनीय बात है ... (व्यवधान) ...

श्री धर्मपाल: मेरी स्टेट में गांधी स्मारक निधि और ये संस्थायें काम करती हैं । मेरा कहना यह है कि पूरे देश में ये संस्थायें हैं। ...(व्यवधान).

SHRI SYED SIBTEY RAZI: Madam, I am on a point of order. The hon. Member is speaking. Who will decide whether it is relevant or irrelevant? He will decide or I will decide or the Chair will decide? Every time he gets up and interrupts. He even argues with you. We take it as an aspersion on the Chair. He has no business to intervene.

(Interruptions)

PROF. C. LAKSHMANNA: It is an essential prerequisite of a Member. No one can take it away from him. He need not give sermons to me. I need not learn from anyone of them.

THE DEPUTY CHAIRMAN: You are a professor. You are teaching. You don't have to learn. I understand it. But the whole point is that I was very clearly hearing. Anybody who is going beyond the purview of the discussion, I am stopping him. He is telling that the same thing is happening in Kashmir. He is cautioning the Government. Do you want those things to happen? I am sure you don't want it. Then let him speak.

SHRI SYED SIBTEY RAZI: They don't know anything about India. They know only about Andhra Pradesh.

PROF. C. LAKSHMANNA: Let them not teach us lessons about India. They don't know what India is. They have got no knowledge of India. Do you know what is the state of affairss in India? Do pou know what is the state of the economy of this country today? If you knew, you would not have talked about it.

THE DEPUTY CHAIRMAN: I think you are unnecessarily getting agitated. He is within his right. If you ask the Chair to give the ruling, I am giving the ruling. He is mentioning that Kashmir is also a sensitive State and the people there are doing the same thing. Let the Government be cautious about it. What is the harm in it? There is no harm in it. Why are you getting agitated? I do not understand. There is no equivalent to this with the steel modernisation. I can assure you. Now let us go ahead.

श्री धर्मपाल: मैं यह अर्ज कर रहा था, मैं यह कह रहा था कि यह जो फारेन फंडिंग और जो विदेशी एजेंसियां हैं इन्होंने जो भी प्रोजक्ट हाथ में लिये वे ट्राइबल एरियाज में थे, बैकवर्ड एरियाज में थे और बार्डर एरियाज में थ और वहां से सेंसेटिव डाटा और नक्शे उनके पास पहुंचते थे। यह सर्वेयर जनरल और डिफेंस के अधिकारियों ने कमीशन के सामने कहा कि इसका इस्तेमाल दुश्मन कर सकते हैं। यह जो पैसा आता रहा यह देश को तोड़ने और देश को एकता और अखंडता को तोड़ने के लिये था। ये एजेंसियां काश्मीर में भी हैं । काश्मीर में भी विदेशी पैसा आता है यह कोई नई बात नहीं है और इसका इस्तेमाल वहां हो रहा है, भारत के एक हिस्से को तोड़ने के लिये....(व्यवधान)...

SHRI DIPEN GHOSH: The reply should be tomorrow.

THE DEPUTY CHAIRMAN: There are two more speakers. Let them speak.

श्री धर्मपाल: मैं कल बोलूंगा।

THE DEPUTY CHAIRMAN: Let us complete these two speakers. Then the Minister can reply tomorrow.

SHRI BUTA SINGH: Madam, we are willing to accommodate Dipen Babu. But he never accommodates us. We agree. But you take the correct stand.

THE DEPUTY CHAIRMAN: Mr. Dharam Pal is finishing. I have got Mr. Matto and Prof. Lakshmanna. Let them finish.

SHRI DIPEN GHOSH: We want to discuss about Jammu and Kashmir also. Some anti-national activities are going on. He is sharing power with that Party there.

SHRI BUTA SINGH: I have agreed to your suggestion. But you stop defending those who are destabilising this country.

SHRI DIPEN GHOSH: He is sharing power with that Party which is supporting anti-national activities.

SHRI DHARAM PAL: That is what I am telling. There are international intrigues to destabilise the country.

(Interruptions)

THE DEPUTY CHAIRMAN: Now I will allow Mr. Draram Pal to finish his speech within two minutes, and then we will adojuurn the House. Please finish it fast.

श्री धर्मपाल: काश्मीर जो इंटरनेशनल साजिशें का अड्डा रहा है मुझे अफसोस हुआ कि प्रो. लक्ष्मन्ना जैसे समझदार सदस्य उसकी सैंसेटिवनेस को नहीं समझते। यह विदेशी धन काश्मीर में आ रहा है और जमायते इस्लामी जो है वह सेकुलरिज्म में डेमो क्रेसी में भारत के हालात को तस्सुवर नहीं करती हैं। बार्डर एरिया में यह एजुकेशनल इस्टीट्शंस के लिए पैसा आ रहा है वह मुनाफ़रत के लिए इस्तेमाल हो रहा है, वह सेकुलरिज्म के खिलाफ जम्हूरियत के खिलाफ और लोगों को भड़काने के लिए इस्तेमाल हो रहा है। मैं तो होम मिनिस्टर साहब से कहूंगा खास तौर से जो रुपया काश्मीर में आ रहा है और काश्मीर साजिशों का आमाजगाह बनता जा रहा है, मैं नहीं कहूंगा कि अब क्या हालात हैं इस में यह सर्तक रहेंगे और देखेंगे कि कोई विदेशी धन जो आता है वह आपके नोटिस में हो और उसी गरज के लिए इस्तेमाल हो और इसी तरह से यह जो कमीशन की रिपोर्ट है इसमें सी०बी० आई० जो इन्क्वायरी कर रही है वह तेजी से करे। अगर किसी के खिलाफ क्रिमिनल केसेज भी बन जाते हैं जो कि हमने पढ़ा है वह करना चाहिये और सी.बी.आई. के जरिये जल्दी से जल्दी यह इन्क्वायरी पूरी होनी चाहिये।

THE DEPUTY CHAIRMAN: The House stands adjourned till 11 A.M. tomorrow.

The House then adjourned at three minutes past six of the clock till eleven of the clock on Wednesday, the 9th August, 1989.